

under consideration said bill, had come to no resolution thereon.

¶28.11 ORDER OF BUSINESS—

CONSIDERATION OF AMENDMENTS—
H.R. 7

On motion of Mr. GILMAN, by unanimous consent,

Ordered, That during further consideration in the Committee of the Whole House on the state of the Union of the bill (H.R. 7) to revitalize the national security of the United States, the provisions of House Resolution 83 of a period not to exceed ten hours for consideration under the five-minute rule be extended for twenty-six minutes;

Ordered further, That the debate time for amendments numbered 13, 21, 24, 30 or 33, or a germane modification to one of these amendments, be extended from thirty-six minutes, heretofore agreed to by order of the House, to forty-four minutes to be equally divided and controlled by the proponent and an opponent; and

Ordered further, That the debate for the Torricelli amendment numbered 48 or amendment numbered 28 or 43 be extended from thirty-six minutes, heretofore agreed to by order of the House, to forty-four minutes to be equally divided and controlled by the proponent and an opponent.

¶28.12 NATIONAL SECURITY
REVITALIZATION

The SPEAKER pro tempore, Mr. BE-REUTER, pursuant to House Resolution 83 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 7) to revitalize the national security of the United States.

Mr. LINDER, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶28.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. LEACH:

On page 28, strike line 4 and all that follows through line 12 and insert in lieu thereof the following:

“(g) INTERPRETATION.—Subject to the power of the Congress to declare war under article I, section 8, clause 11 of the Constitution of the United States, nothing in this section shall be construed to derogate or limit the authority of the President as Commander-in-Chief of the United States Armed Forces under article II, section 2, clause 1 of the Constitution of the United States.”

Beginning on page 28, strike line 16 and all that follows through page 29, line 2.

ON page 29, line 3, strike “(c)” and insert in lieu thereof “(b)”

It was decided in the { Yeas 158
negative } Nays 267

¶28.14 [Roll No. 142]
AYES—158

Abercrombie	Barrett (WI)	Bishop
Ackerman	Beilenson	Bonior
Baessler	Bentsen	Borski
Baldacci	Berman	Boucher

Brown (CA)	Hinchev	Payne (NJ)
Brown (FL)	Houghton	Pelosi
Brown (OH)	Hoyer	Peterson (FL)
Bryant (TX)	Jackson-Lee	Petri
Cardin	Jefferson	Porter
Chapman	Johnson, E. B.	Poshard
Clayton	Johnston	Rangel
Clement	Kanjorski	Reed
Clyburn	Kennedy (MA)	Reynolds
Coleman	Kennedy (RI)	Richardson
Collins (IL)	Kennelly	Rivers
Conyers	Kildee	Rose
Costello	Kleccka	Roukema
Danner	Klink	Roybal-Allard
DeFazio	LaFalce	Rush
DeLauro	Lantos	Sabo
Dellums	Leach	Sanders
Deutsch	Levin	Sawyer
Dicks	Lofgren	Schroeder
Dingell	Lowey	Schumer
Dixon	Luther	Scott
Doggett	Manton	Serrano
Dooley	Markey	Skaggs
Doyle	Martinez	Skelton
Durbin	Mascara	Slaughter
Engel	Matsui	Stark
Eshoo	McCarthy	Stokes
Evans	McDermott	Studds
Farr	McKinney	Stupak
Fattah	Meehan	Thompson
Fazio	Meek	Torres
Fields (LA)	Menendez	Torricelli
Filner	Mfume	Towns
Flake	Miller (CA)	Tucker
Foglietta	Mineta	Velazquez
Ford	Mink	Vento
Frank (MA)	Moakley	Visclosky
Frelinghuysen	Mollohan	Volkmer
Frost	Moran	Ward
Furse	Morella	Waters
Gejdenson	Murtha	Watt (NC)
Gephardt	Nadler	Waxman
Gibbons	Neal	Williams
Gonzalez	Oberstar	Wise
Gutierrez	Obey	Woolsey
Hall (OH)	Olver	Wyden
Hamilton	Orton	Wynn
Hefner	Owens	Yates
Hilliard	Pallone	

NOES—267

Allard	Condit	Gordon
Andrews	Cooley	Goss
Archer	Cox	Graham
Army	Coyne	Greenwood
Bachus	Cramer	Gunderson
Baker (CA)	Crane	Gutknecht
Baker (LA)	Crapo	Hall (TX)
Ballenger	Cremeans	Hancock
Barcia	Cubin	Hansen
Barr	Cunningham	Harman
Barrett (NE)	Davis	Hastert
Bartlett	de la Garza	Hastings (WA)
Barton	Deal	Hayes
Bass	DeLay	Hayworth
Bateman	Diaz-Balart	Hefley
Bereuter	Dickey	Heineman
Bevill	Doolittle	Heger
Billbray	Dornan	Hillery
Bilirakis	Dreier	Hobson
Biley	Duncan	Hoekstra
Blute	Dunn	Hoke
Boehlert	Edwards	Holden
Boehner	Ehlers	Horn
Bonilla	Ehrlich	Hostettler
Bono	Emerson	Hunter
Brewster	English	Hutchinson
Browder	Ensign	Hyde
Brownback	Everett	Inglis
Bryant (TN)	Ewing	Istook
Bunn	Fawell	Jacobs
Bunning	Fields (TX)	Johnson (CT)
Burr	Flanagan	Johnson (SD)
Burton	Foley	Johnson, Sam
Buyer	Forbes	Jones
Callahan	Fowler	Kaptur
Calvert	Fox	Kasich
Camp	Franks (CT)	Kelly
Canady	Franks (NJ)	Kim
Castle	Frisa	King
Chabot	Funderburk	Kingston
Chambliss	Gallegly	Klug
Chenoweth	Ganske	Knollenberg
Christensen	Gekas	Kolbe
Chrysler	Geren	LaHood
Clinger	Gilchrest	Largent
Coble	Gillmor	Latham
Coburn	Gilman	LaTourette
Collins (GA)	Goodlatte	Laughlin
Combest	Goodling	Lazio

Lewis (CA)	Pastor	Smith (WA)
Lewis (KY)	Paxon	Solomon
Lightfoot	Payne (VA)	Souder
Lincoln	Peterson (MN)	Spence
Linder	Pickett	Spratt
Lipinski	Pombo	Stearns
Livingston	Pomeroy	Stenholm
LoBiondo	Portman	Stockman
Longley	Pryce	Stump
Lucas	Quillen	Talent
Manzullo	Quinn	Tanner
Martini	Radanovich	Tate
McCollum	Rahall	Tauzin
McCrery	Ramstad	Taylor (MS)
McDade	Regula	Taylor (NC)
McHale	Riggs	Tejeda
McHugh	Roberts	Thomas
McInnis	Roemer	Thornberry
McIntosh	Rogers	Thurman
McKeon	Rohrabacher	Tiahrt
McNulty	Ros-Lehtinen	Torkildsen
Metcalfe	Roth	Traficant
Meyers	Royce	Upton
Mica	Salmon	Vucanovich
Miller (FL)	Sanford	Waldholtz
Minge	Saxton	Walker
Molinari	Scarborough	Walsh
Montgomery	Schaefer	Wamp
Moorhead	Schiff	Watts (OK)
Myers	Seastrand	Weldon (FL)
Mycr	Sensenbrenner	Weldon (PA)
Nethercutt	Shadegg	Weller
Neumann	Shaw	White
Ney	Shays	Whitfield
Norwood	Shuster	Wicker
Nussle	Sisisky	Wolf
Ortiz	Skeen	Young (AK)
Oxley	Smith (MI)	Young (FL)
Packard	Smith (NJ)	Zeliff
Parker	Smith (TX)	Zimmer

NOT VOTING—9

Becerra	Green	Maloney
Clay	Hastings (FL)	Thornton
Collins (MI)	Lewis (GA)	Wilson

So the amendment was not agreed to.
After some further time,

¶28.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TORRICELLI:

Page 68, line 4, strike out “shall” and insert “may.”

It was decided in the { Yeas 191
negative } Nays 232

¶28.16 [Roll No. 143]
AYES—191

Abercrombie	de la Garza	Hamilton
Ackerman	Deal	Harman
Andrews	DeFazio	Hayes
Baessler	DeLauro	Hefner
Baldacci	Dellums	Hinchev
Barcia	Deutsch	Hoyer
Barrett (WI)	Dicks	Jackson-Lee
Beilenson	Dingell	Jacobs
Bentsen	Dixon	Jefferson
Berman	Doggett	Johnson (SD)
Bevill	Dooley	Johnson, E. B.
Bishop	Doyle	Johnston
Bonior	Duncan	Kanjorski
Borski	Edwards	Kaptur
Boucher	Ensign	Kennedy (MA)
Brewster	Eshoo	Kennedy (RI)
Browder	Farr	Kildee
Brown (CA)	Fattah	Kleccka
Brown (FL)	Fazio	Klink
Bryant (TX)	Fields (LA)	LaFalce
Cardin	Filner	Lantos
Chapman	Flake	Laughlin
Clayton	Foglietta	Levin
Clement	Ford	Lincoln
Clyburn	Frost	Lofgren
Coleman	Funderburk	Lowey
Collins (IL)	Furse	Luther
Collins (MI)	Gejdenson	Manton
Condit	Gephardt	Martinez
Conyers	Geren	Mascara
Cooley	Gibbons	Matsui
Costello	Gordon	McCarthy
Coyne	Gutierrez	McDermott
Cramer	Hall (OH)	McHale
Danner	Hall (TX)	McKinney

McNulty
Meehan
Meek
Menendez
Metcalf
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)

Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Rohrabacher
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Scarborough
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stenholm

Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thurman
Torres
Torrucelli
Towns
Tucker
Velazquez
Vento
Visclosky
Volkmmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Wolf
Woolsey
Wyden
Wynn
Yates

Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton

Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller

White
Whitfield
Wicker
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—11

Becerra
Clay
Ewing
Green

Hastings (FL)
Lewis (GA)
McHugh
Roukema

Stark
Thornton
Wilson

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. BUNNING, assumed the Chair.

When Mr. LINDER, Chairman, pursuant to House Resolution 83, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

Sec. 1. Short title; table of contents.

TITLE I—FINDINGS, POLICY, AND PURPOSES

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

TITLE II—POLICY REGARDING PRIORITY FOR MISSILE DEFENSE PROGRAMS

Sec. 201. Policy.
Sec. 202. Sense of Congress on theater missile defense and the Anti-Ballistic Missile (ARM) Treaty.
Sec. 203. Ballistic missile defense as a component of military readiness.

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. Limitation on payment of 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.

Sec. 513. Report regarding reimbursement levels paid by United Nations for costs incurred by nations and contractors furnishing personnel for peacekeeping activities.

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.

TITLE I—FINDINGS, POLICY, AND PURPOSES

SEC. 101. FINDINGS.

The Congress finds the following:

(1) Dramatic changes in the geo-political and military landscape during the last decade have had significant impacts on United States security.

(2) Those changes include the breakup of the Warsaw Pact alliance, the disintegration of the Soviet Union, and an increase in regional instability and conflict.

(3) While the magnitude and implications of these and other changes continues to evolve, the world remains an unstable and dangerous place. This uncertainty mandates the need for an on-going process to establish an appropriate national security strategy and the forces needed to implement that strategy.

(4) The centerpiece of the defense strategy of the Administration, the review of the Department of Defense conducted by the Secretary of Defense in 1993 known as the "Bottom Up Review", determined that United States forces must be—

(A) prepared to fight and win two nearly simultaneous Major Regional Conflicts;

(B) able to sustain robust overseas presence in peacetime;

(C) prepared for a variety of regional contingencies; and

(D) able to deter and prevent attacks with weapons of mass destruction against United States territory and forces and the territory and forces of our allies.

(5) The Bottom Up Review also recommended significant reductions in military forces, including reduction in the number of Navy ships by one-third, the number of Air Force wings by almost one-half, and the level of funding for missile defenses by over 50 percent.

(6) The General Accounting Office and the Congressional Budget Office have estimated

NOES—232

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Balleger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Billbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
Davis
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Dunn
Durbín
Ehlers
Ehrlich
Emerson
Engel
English
Evans
Everett
Fawell
Fields (TX)

Flanagan
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Gallegly
Ganske
Gekas
Gilchrist
Gillmor
Gilman
Gonzalez
Goodlatte
Goodlert
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kennelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourrette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski

Livingston
LoBiondo
Longley
Lucas
Maloney
Manzullo
Markey
Martini
McCollum
McCrery
McDade
McInnis
McIntosh
McKeon
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Neal
Nethercatt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Pallone
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Ros-Lehtinen
Roth
Royce
Salmon
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump

that the mismatch between even the restrictive Bottom Up Review force and the Administration defense budget may be up to anywhere from \$65,000,000,000 to \$150,000,000,000.

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

(8) The fiscal year 1995 budget is the 10th consecutive year of reductions in real defense spending and, with the exception of fiscal year 1948, represents the lowest percentage of gross domestic product for any defense budget since World War II.

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

(10) Despite severe reductions and shortfalls in defense funding and force structure, since 1993 United States military forces have been deployed more often and committed to more peacetime missions per year than ever before. Most of these missions involve United Nations peacekeeping and humanitarian efforts. At the end of fiscal year 1994, over 70,000 United States personnel were serving in such regions as Iraq, Bosnia, Macedonia, the Adriatic Sea, Rwanda, and the Caribbean Sea for missions involving Haiti and Cuba.

(11) Despite the dramatic increase in the pace of operations and the diversion of training and exercise funds to cover the costs of unbudgeted contingency operations, the Armed Forces of the United States remain the most capable, motivated, and effective military force in the world. The ability to successfully deploy and maintain support for the range of on-going contingency operations demonstrates the continued quality and professionalism of our troops.

(12) However, persistent indications of declining readiness demonstrate that military units are entering the early stage of a long-term systemic readiness problem. This downward readiness trend risks a return to the "hollow forces" of the 1970s.

(13) At the end of fiscal year 1994, one-third of the units in the Army contingency force and all of the forward-deployed and follow-on Army divisions were reporting a reduced state of military readiness. During fiscal year 1994, training readiness declined for the Navy's Atlantic and Pacific fleets. Training funding shortfalls also resulted in a grounding of Navy and Marine Corps aircraft squadrons and cancellation and curtailment of Army training exercises. Marine and naval personnel are not maintaining the standard 12- to 18-month respite between six-month deployments away from home.

(14) The significant increase in deployments in support of peacekeeping, humanitarian, and contingency operations has placed great personnel tempo stress on many critical operational units.

(15) A real commitment to equitable compensation and protection of quality-of-life programs for servicemembers and their families is an essential component to ensuring high personnel morale and sustaining force readiness. However, as of January 1, 1995, military pay is approximately 12.8 percent below comparable civilian levels. As a result, it is estimated that close to 17,000 junior enlisted personnel have to rely on food stamps and the Department of Defense will soon begin providing supplementary food benefits to an estimated 11,000 military personnel and dependents living overseas.

(16) Critical long-term modernization programs continue to be delayed or cancelled as resources are diverted to cover short-term personnel and readiness shortfalls resulting from an underfunded defense budget and an

overextended force, threatening the technological superiority of future United States forces.

(17) The fiscal year 1995 defense budget failed to meet the current force structure goal of 184 modern long-range bombers, as established in the Bottom-Up Review. Unless this long-range bomber capability shortfall is addressed promptly, the Nation's ability to project force will be undermined and the existing bomber industrial base may be placed at risk.

(18) The Administration has initially agreed to or proposed treaty limitations, or has unilaterally adopted positions, that prohibit the United States from testing or deploying effective missile defense systems.

(19) United Nations assessments to the United States for peacekeeping missions totaled over \$1,000,000,000 in 1994. The United States is assessed 31.7 percent of annual United Nations costs for peacekeeping. The next highest contributor, Japan, only pays 12.5 percent of such costs. The Department of Defense also incurs hundreds of millions of dollars in costs every year for United States military participation in United Nations peacekeeping or humanitarian missions, most of which are not reimbursed by the United Nations. For fiscal year 1994, these Department of Defense costs totaled over \$1,721,000,000.

(20) Credible and effective collective action on international security concerns through the United Nations and regional organizations such as the North Atlantic Treaty Organization can, in appropriate cases, advance world peace, strengthen the national security of the United States, and foster more equitable burden-sharing with friends and allies of the United States in military, political, and financial terms.

SEC. 102. POLICY.

The Congress is committed to providing adequate resources to protect the national security interests of the United States, including the resources necessary—

(1) to provide for sufficient forces to meet the national security strategy of being able to fight and win two nearly simultaneously major regional conflicts;

(2) to provide for sufficient forces to meet the national security strategy of using forward-deployed and forward-based forces to promote regional stability, deter aggression, improve joint/combined operations among United States forces and allies, and ensure timely crisis response;

(3) to provide pay and benefits necessary for members of the Armed Forces (including members of the National Guard and Reserve as well as active duty members) to begin closing the gap between rates of civilian pay and rates of military pay;

(4) to maintain a high quality-of-life for military personnel and their dependents;

(5) to maintain a high level of military readiness and take all necessary steps to avoid a return to the "hollow forces" of the 1970s;

(6) to fully provide for the necessary modernization of United States military forces in order to ensure their technological superiority over any adversary; and

(7) to develop and deploy at the earliest practical date highly effective national and theater missile defense systems.

SEC. 103. PURPOSES.

The purposes of this Act are—

(1) to establish an advisory commission to assess United States military needs and address the problems posed by the continuing downward spiral of defense spending;

(2) to commit the United States to accelerate the development and deployment of theater and national ballistic missile defense capabilities;

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

(4) to maintain adequate command and control by United States personnel of United States forces participating in United Nations peacekeeping operations;

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

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

TITLE II—POLICY REGARDING PRIORITY FOR MISSILE DEFENSE PROGRAMS

SEC. 201. POLICY.

The following, in the order listed, shall be the policy of the United States with respect to the priority for development and deployment of missile defense programs:

(1) First, ensuring operational readiness of the Armed Forces and accomplishing programmed modernization of weapons systems.

(2) Second, as part of such modernization, completing the development and deployment at the earliest practicable date of more effective theater missile defense (TMD) systems by adequately funding essential theater missile defense programs.

(3) Third, developing as soon as practicable, subject to the availability of funding, a ground-based interceptor system capable of destroying ballistic missiles launched against the United States.

SEC. 202. SENSE OF CONGRESS ON THEATER MISSILE DEFENSE AND THE ANTI-BALLISTIC MISSILE (ABM) TREATY.

(a) FINDINGS.—The Congress makes the following findings:

(1) The United States and its allies face existing and expanding threats from ballistic missiles capable of being used as theater weapon systems that are presently possessed by, being developed by, or being acquired by a number of countries, including Iran, Iraq, Syria, Libya, and North Korea.

(2) Some theater ballistic missiles that are currently deployed or are being developed (such as the Chinese CSS-2 missile and the North Korean Taepo Dong-2 missile) have capabilities equal to or greater than the capabilities of missiles that were determined to be strategic missiles more than 20 years ago under the Strategic Arms Limitation Agreement I (SALT I) Interim Agreement of 1972 entered into between the United States and the Soviet Union.

(3) The Anti-Ballistic Missile (ABM) Treaty was not intended to, and does not, apply to or limit research, development, testing, or deployment of missile defense systems, system upgrades, or system components that are designed to counter modern theater ballistic missiles, regardless of the capabilities of such missiles, unless those systems, system upgrades, or system components are tested against or have demonstrated capabilities to counter modern strategic ballistic missiles.

(4) It is a national security priority of the United States to develop and deploy highly effective theater missile defense systems capable of countering the existing and expanding threats posed by modern theater ballistic missiles at the earliest practical date.

(5) Current United States proposals in the Standing Consultative Commission (SCC) would multilateralize the ABM Treaty, making future amendments or changes to the Treaty more difficult, and would impose specific design limitations on United States theater missile defense (TMD) systems that would significantly compromise the United States TMD capability.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that further formal negotiations in the Standing Consultative Commis-

sion (SCC) and any informal discussions or negotiations on either the demarcation between theater missile defense (TMD) systems and anti-ballistic missile (ABM) systems, or any other effort that bears on the viability of the ABM Treaty, including multilateralization of the treaty, should be suspended until the One Hundred Fourth Congress has had the opportunity to review those matters.

SEC. 203. BALLISTIC MISSILE DEFENSE AS A COMPONENT OF MILITARY READINESS.

(a) USE OF FISCAL YEAR 1996 FUNDS.—Of the total amount of funds appropriated or otherwise made available for the Department of Defense for fiscal year 1996, the amount obligated for national missile defense programs may exceed the amount made available for national missile programs for fiscal year 1995.

(b) FINDINGS.—In carrying out program execution of national missile defense programs using funds appropriated for fiscal year 1996, the Secretary of Defense shall consider the following findings by Congress:

(1) A critical component of military readiness is whether the Armed Forces are properly sized, equipped, structured, and ready to carry out assigned missions as required by the national military strategy.

(2) In testimony before the Committee on Armed Services of the House of Representatives on February 22, 1994, the Chairman of the Joint Chiefs of Staff testified that "modernization is the key to future readiness and it is the only way to provide our next generation with an adequate defense".

(3) Given the growing ballistic missile threat, the deployment of affordable, highly effective national and theater missile defense systems is an essential objective of a defense modernization program that adequately supports the requirements of the national military strategy.

(c) SENSE OF CONGRESS.—In light of the findings in subsection (b), it is the sense of Congress that an effective national and theater missile defense capability is essential to ensuring that United States Armed Forces are ready to meet current and expected threats to United States national security.

TITLE III—ADVISORY COMMISSION ON REVITALIZATION OF NATIONAL SECURITY
SEC. 301. ESTABLISHMENT.

There is hereby established an advisory commission to be known as the "Revitalization of National Security Commission" (hereinafter in this title referred to as the "Commission").

SEC. 302. COMPOSITION.

(a) APPOINTMENT.—The Commission shall be composed of 12 members, appointed as follows:

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

(2) Four members shall be appointed by the Speaker of the House of Representatives, one of whom shall be appointed upon the recommendation of the minority leader of the House of Representatives.

(3) Four members shall be appointed by the president pro tempore of the Senate, three of whom shall be appointed upon the recommendation of the majority leader of the Senate and one of whom shall be appointed upon the recommendation of the minority leader of the Senate.

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

(c) TERM OF MEMBERS; VACANCIES.—Members of the Commission shall be appointed for the life of the Commission. A vacancy on the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment was made.

(d) COMMENCEMENT.—The members of the Commission shall be appointed not later

than 21 days after the date of the enactment of this Act. The Commission shall convene its first meeting to carry out its duties under this section 14 days after seven members of the Commission have been appointed.

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

SEC. 303. DUTIES.

(a) COMPREHENSIVE REVIEW.—The Commission shall conduct a comprehensive review of the long-term national security needs of the United States. The review shall include the following:

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

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

(3) An assessment of the military force structure necessary to support the new strategies identified under paragraphs (1) and (2).

(4) An assessment of force modernization requirements necessary to support the new strategies identified under paragraphs (1) and (2).

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

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

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

(8) An assessment of the adequacy of the current future-years defense plan in fully funding the Bottom-Up Review force structure while maintaining adequate force modernization and military readiness objectives.

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

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

(11) An assessment of the elements of military pay and allowances constituting the regular military compensation of members of the Armed Forces and the development of recommendations for changes in those elements in order to end the dependence of some members of the Armed Forces and their families on Federal and local assistance programs.

(12) An assessment of the need to revise the command and control structure of the Army Reserve.

(b) MATTERS TO BE CONSIDERED.—In carrying out the review, the Commission shall develop specific recommendations to accomplish each of the following:

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

(2) Fully fund cost-effective missile defense systems that are deployable at the earliest practical date following enactment of this Act.

(3) Maintain adequate funding for military readiness accounts without sacrificing modernization programs.

(4) Maintain a strong role for Guard and Reserve forces.

(5) Provide a new funding system to avoid diversions from military readiness accounts

to pay for peacekeeping and humanitarian deployments such as Haiti and Rwanda.

(6) Support security enhancing measures in the Asia-Pacific region, including support for the Association of Southeast Asian Nations (ASEAN) Regional Forum.

(7) Reduce the level of defense expenditures for non-defense programs.

SEC. 304. REPORTS.

(a) FINAL REPORT.—The Commission shall submit to the President and the designated congressional committees a report on the assessments and recommendations referred to in section 303 not later than January 1, 1996. The report shall be submitted in unclassified and classified versions.

(b) INTERIM REPORT.—The Commission shall submit to the President and the designated congressional committees an interim report describing the Commission's progress in fulfilling its duties under section 303. The interim report shall include any preliminary recommendations the Commission may have reached and shall be submitted not later than October 1, 1995.

(c) DESIGNATED CONGRESSIONAL COMMITTEES.—For purposes of this section, the term "designated congressional committees" means—

(1) the Committee on National Security, the Committee on International Relations, and the Committee on Appropriations of the House of Representatives; and

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

(d) LIMITATION PENDING SUBMISSION OF INTERIM REPORT.—The Secretary of the Army may not, during the period beginning on the date of the enactment of this Act and ending on the date on which the interim report under subsection (b) is submitted, take any action to implement the plan to reorganize the Army Reserve's continental United States headquarters structures that was announced by the Secretary on January 4, 1995.

SEC. 305. POWERS.

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

(b) ASSISTANCE FROM OTHER AGENCIES.—The Commission may secure directly from any department or agency of the Federal Government such information, relevant to its duties under this title, as may be necessary to carry out such duties. Upon request of the chairman of the Commission, the head of the department or agency shall, to the extent permitted by law, furnish such information to the Commission.

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

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

SEC. 306. COMMISSION PROCEDURES.

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

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

SEC. 307. PERSONNEL MATTERS.

(a) COMPENSATION.—Each member of the Commission shall serve without compensation, but shall be allowed travel expenses including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, when engaged in the performance of Commission duties.

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

(c) DETAILED PERSONNEL.—Upon request of the chairman of the Commission, the head of any department or agency of the Federal Government is authorized to detail, without reimbursement, any personnel of such department or agency to the Commission to assist the Commission in carrying out its duties under this section. The detail of any such personnel may not result in the interruption or loss of civil service status or privilege of such personnel.

SEC. 308. TERMINATION OF THE COMMISSION.

The Commission shall terminate upon submission of the final report required by section 304.

SEC. 309. FUNDING.

Funds for the activities of the Commission shall be made available to the Commission by the Secretary of Defense from funds appropriated for activities of the Office of the Secretary of Defense.

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.

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

“§405. Placement of United States forces under United Nations command or control: limitation

“(a) LIMITATION.—Except as provided in subsections (b) and (c), funds appropriated or otherwise made available for the Department of Defense may not be obligated or expended for activities of any element of the Armed Forces that after the date of the enactment of this section is placed under United Nations command or control, as defined in subsection (f).

“(b) EXCEPTION FOR PRESIDENTIAL CERTIFICATION.—(1) Subsection (a) shall not apply in the case of a proposed placement of an element of the Armed Forces under United Nations command or control if the President, not less than 15 days before the date on which such United Nations command or control is to become effective (or as provided in paragraph (2)), meets the requirements of subsection (d).

“(2) If the President certifies to Congress that an emergency exists that precludes the President from meeting the requirements of subsection (d) 15 days before placing an element of the Armed Forces under United Nations command or control, the President may place such forces under such command or control and meet the requirements of subsection (d) in a timely manner, but in no event later than 48 hours after such command or control becomes effective.

“(c) ADDITIONAL EXCEPTIONS.—

“(1) EXCEPTION FOR AUTHORIZATION BY LAW.—Subsection (a) shall not apply in the case of a proposed placement of any element

of the Armed Forces under United Nations command or control if the Congress specifically authorizes by law that particular placement of United States forces under United Nations command or control.

“(2) EXCEPTION FOR NATO OPERATIONS.—Subsection (a) shall not apply in the case of a proposed placement of any element of the Armed Forces in an operation conducted by the North Atlantic Treaty Organization.

“(d) PRESIDENTIAL CERTIFICATIONS.—The requirements referred to in subsection (b)(1) are that the President submit to Congress the following:

“(1) Certification by the President that—

“(A) such a United Nations command or control arrangement is necessary to protect national security interests of the United States;

“(B) the commander of any unit of the Armed Forces proposed for placement under United Nations command or control will at all times retain the right—

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

“(ii) to decline to comply with orders judged by the commander to be illegal, militarily imprudent, or beyond the mandate of the mission to which the United States agreed with the United Nations, until such time as that commander receives direction from superior United States military authorities with respect to the orders that the commander has declined to comply with;

“(C) any element of the Armed Forces proposed for placement under United Nations command or control will at all times remain under United States administrative command for such purposes as discipline and evaluation; and

“(D) the United States will retain the authority to withdraw any element of the Armed Forces from the proposed operation at any time and to take any action it considers necessary to protect those forces if they are engaged.

“(2) A report setting forth the following:

“(A) A description of the national security interests that require the placement of United States forces under United Nations command or control.

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

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

“(D) The incremental cost to the United States of participation in the United Nations operation by the United States forces which are proposed to be placed under United Nations command or control.

“(E) The precise command and control relationship between the United States forces involved and the United Nations command structure.

“(F) The precise command and control relationship between the United States forces involved and the commander of the United States unified command for the region in which those United States forces are to operate.

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

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

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

“(f) UNITED NATIONS COMMAND OR CONTROL.—For purposes of this section, an element of the Armed Forces shall be considered to be placed under United Nations command or control if—

“(1) that element is under the command or operational control of an individual acting on behalf of the United Nations for the purpose of international peacekeeping, peace-making, peace-enforcing, or similar activity that is authorized by the Security Council under chapter VI or VII of the Charter of the United Nations; and

“(2) the senior military commander of the United Nations force or operation—

“(A) is a foreign national or is a citizen of the United States who is not a United States military officer serving on active duty; or

“(B) is a United States military officer serving on active duty but—

“(i) that element of the armed forces is under the command or operational control of a subordinate commander who is a foreign national or a citizen of the United States who is not a United States military officer serving on active duty; and

“(ii) that senior military commander does not have the authority—

“(I) to dismiss any subordinate officer in the chain of command who is exercising command or operational control over United States forces and who is a foreign national or a citizen of the United States who is not a United States military officer serving on active duty;

“(II) to establish rules of engagement for United States forces involved; and

“(III) to establish criteria governing the operational employment of United States forces involved.

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

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

“(2) as authority for the President to place any element of the armed forces under the command or operational control of a foreign national; or

“(3) as an unconstitutional infringement on the authority of the President as commander-in-chief.”

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

“405. Placement of United States forces under United Nations command or control: limitation.”

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

(c) EXCEPTION FOR ONGOING OPERATIONS IN MACEDONIA AND CROATIA.—Section 405 of title 10, United States Code, as added by subsection (a), does not apply in the case of activities of the Armed Forces as part of the United Nations force designated as the United Nations Protection Force (UNPROFOR) that are carried out—

(1) in Macedonia pursuant to United Nations Security Council Resolution 795, adopted December 11, 1992, and subsequent reauthorization Resolutions; or

(2) in Croatia pursuant to United Nations Security Council Resolution 743, adopted February 21, 1992, and subsequent reauthorization Resolutions.

SEC. 402. LIMITATION ON PLACEMENT OF UNITED STATES ARMED FORCES UNDER FOREIGN CONTROL FOR A UNITED NATIONS PEACEKEEPING ACTIVITY.

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

“SEC. 6. (a) AGREEMENTS WITH SECURITY COUNCIL.—(1) Any special agreement described in paragraph (2) that is concluded by the President with the Security Council shall not be effective unless approved by the Congress by law.

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

“(b) LIMITATION.—Except as provided in subsections (c) and (d), the President may not place any element of the Armed Forces under United Nations command or control, as defined in subsection (g).

“(c) EXCEPTION FOR PRESIDENTIAL CERTIFICATION.—(1) Subsection (b) shall not apply in the case of a proposed placement of an element of the Armed Forces under United Nations command or control if the President, not less than 15 days before the date on which such United Nations command or control is to become effective (or as provided in paragraph (2)), meets the requirements of subsection (e).

“(2) If the President certifies to Congress that an emergency exists that precludes the President from meeting the requirements of subsection (e) 15 days before placing an element of the Armed Forces under United Nations command or control, the President may place such forces under such command or control and meet the requirements of subsection (e) in a timely manner, but in no event later than 48 hours after such command or control becomes effective.

“(d) ADDITIONAL EXCEPTIONS.—

“(1) EXCEPTION FOR AUTHORIZATION BY LAW.—Subsection (b) shall not apply in the case of a proposed placement of any element of the Armed Forces under United Nations command or control if the Congress specifically authorizes by law that particular placement of United States forces under United Nations command or control.

“(2) EXCEPTION FOR NATO OPERATIONS.—Subsection (b) shall not apply in the case of a proposed placement of any element of the Armed Forces in an operation conducted by the North Atlantic Treaty Organization.

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

“(1) Certification by the President that—

“(A) such a United Nations command or control arrangement is necessary to protect national security interests of the United States;

“(B) the commander of any unit of the Armed Forces proposed for placement under United Nations command or control will at all times retain the right—

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

“(ii) to decline to comply with orders judged by the commander to be illegal, militarily imprudent, or beyond the mandate of the mission to which the United States agreed with the United Nations, until such time as that commander receives direction from superior United States military authorities with respect to the orders that the commander has declined to comply with;

“(C) any element of the Armed Forces proposed for placement under United Nations

command or control will at all times remain under United States administrative command for such purposes as discipline and evaluation; and

“(D) the United States will retain the authority to withdraw any element of the Armed Forces from the proposed operation at any time and to take any action it considers necessary to protect those forces if they are engaged.

“(2) A report setting forth the following:

“(A) A description of the national security interests that require the placement of United States forces under United Nations command or control.

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

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

“(D) The incremental cost to the United States of participation in the United Nations operation by the United States forces which are proposed to be placed under United Nations command or control.

“(E) The precise command and control relationship between the United States forces involved and the United Nations command structure.

“(F) The precise command and control relationship between the United States forces involved and the commander of the United States unified command for the region in which those United States forces are to operate.

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

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

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

“(g) UNITED NATIONS COMMAND OR CONTROL.—For purposes of this section, an element of the Armed Forces shall be considered to be placed under United Nations command or control if—

“(1) that element is under the command or operational control of an individual acting on behalf of the United Nations for the purpose of international peacekeeping, peacemaking, peace-enforcing, or similar activity that is authorized by the Security Council under chapter VI or VII of the Charter of the United Nations; and

“(2) the senior military commander of the United Nations force or operation—

“(A) is a foreign national or is a citizen of the United States who is not a United States military officer serving on active duty; or

“(B) is a United States military officer serving on active duty but—

“(i) that element of the Armed Forces is under the command or operational control of a subordinate commander who is a foreign national or a citizen of the United States who is not a United States military officer serving on active duty; and

“(ii) that senior military commander does not have the authority—

“(I) to dismiss any subordinate officer in the chain of command who is exercising command or operational control over United States forces and who is a foreign national or a citizen of the United States who is not a United States military officer serving on active duty;

“(II) to establish rules of engagement for United States forces involved; and

“(III) to establish criteria governing the operational employment of United States forces involved.

“(h) INTERPRETATION.—Except as authorized in section 7 of this Act, nothing con-

tained in this Act shall be construed as an authorization to the President by the Congress to make available to the Security Council United States Armed Forces, facilities, or assistance.”.

(b) REPORT RELATING TO CONSTITUTIONALITY.—No certification may be submitted by the President under section 6(e)(1) of the United Nations Participation Act of 1945, as amended by subsection (a), until the President has submitted to the Congress (after the date of the enactment of this Act) a memorandum of legal points and authorities explaining why the placement of elements of United States Armed Forces under the command or operational control of a foreign national acting on behalf of the United Nations does not violate the Constitution.

(c) EXCEPTION FOR ONGOING OPERATION IN MACEDONIA AND CROATIA.—Section 6 of the United Nations Participation Act of 1945, as amended by subsection (a), does not apply in the case of activities of the Armed Forces as part of the United Nations force designated as the United Nations Protection Force (UNPROFOR) that are carried out—

(1) in Macedonia pursuant to United Nations Security Council Resolution 795, adopted December 11, 1992, and subsequent reauthorization Resolutions; or

(2) in Croatia pursuant to United Nations Security Council Resolution 743, adopted February 21, 1992, and subsequent reauthorization Resolutions.

TITLE V—UNITED NATIONS

SEC. 501. CREDIT AGAINST ASSESSMENT FOR UNITED STATES EXPENDITURES IN SUPPORT OF UNITED NATIONS PEACEKEEPING OPERATIONS.

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

“SEC. 10. (a) CREDIT AGAINST ASSESSMENT FOR EXPENDITURES IN SUPPORT OF PEACEKEEPING OPERATIONS.—

“(1) LIMITATION.—Funds may be obligated for payment to the United Nations of the United States assessed share of peacekeeping operations for a fiscal year only to the extent that—

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

“(B) the amount equal to—

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

“(ii) the amount of any reimbursement or credit to the United States by the United Nations for the costs of United States support for, or participation in, United Nations peacekeeping activities for that preceding fiscal year.

“(2) ANNUAL REPORT.—The President shall, at the time of submission of the budget to the Congress for any fiscal year, submit to the designated congressional committees a report on the total amount of incremental costs incurred by the Department of Defense during the preceding fiscal year to support or participate in, directly or indirectly, United Nations peacekeeping activities. Such report shall include a separate listing by United Nations peacekeeping operation of the amount of incremental costs incurred to support or participate in each such operation.

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

“(A) UNITED NATIONS PEACEKEEPING ACTIVITIES.—The term ‘United Nations peacekeeping activities’ means any international peacekeeping, peacemaking, peace-enforcing, or similar activity that is authorized by the United Nations Security Council under chapter VI or VII of the Charter of the United Nations, except that such term does not include any such activity authorized under chapter

VII of such Charter with respect to which the President has certified to the Congress that the activity is of such importance to the national security of the United States that the United States would undertake the activity unilaterally if it were not authorized by the United Nations Security Council.

“(B) DESIGNATED CONGRESSIONAL COMMITTEES.—The term ‘designated congressional committees’ includes the Committee on National Security of the House of Representatives and the Committee on Armed Services of the Senate.”.

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

SEC. 502. CODIFICATION OF REQUIRED NOTICE TO CONGRESS OF PROPOSED UNITED NATIONS PEACEKEEPING ACTIVITIES.

(a) REQUIRED NOTICE.—Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b) is amended—

(1) by striking the second sentence of subsection (a);

(2) by redesignating subsection (e) as subsection (f); and

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

(A) in paragraph (2)—

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

(ii) in subparagraph (A)(iv), by inserting “(including facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.))” after “covered by the resolution”; and

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

“(iv) A description of any other United States assistance to or support for the operation (including facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.)), and an estimate of the cost to the United States of such assistance or support.”;

(B) by striking paragraph (3);

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

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

“(4) NEW UNITED NATIONS PEACEKEEPING OPERATION DEFINED.—As used in paragraphs (2) (B) and (3), the term ‘new United Nations peacekeeping operation’ includes any existing or otherwise ongoing United Nations peacekeeping operation—

“(A) that is to be expanded by more than 25 percent during the period covered by the Security Council resolution, as measured by either the number of personnel participating (or authorized to participate) in the operation or the budget of the operation; or

“(B) that is to be authorized to operate in a country in which it was not previously authorized to operate.”; and

(E) in paragraph (5)—

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

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

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

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

“(f) DESIGNATED CONGRESSIONAL COMMITTEES.—As used in this section, the term ‘designated congressional committees’ has the meaning given such term in section 10(f).”.

SEC. 503. NOTICE TO CONGRESS REGARDING UNITED STATES CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

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

“(b) NOTICE TO CONGRESS REGARDING CONTRIBUTIONS FOR PEACEKEEPING ACTIVITIES.—

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

“(2) NOTICE REGARDING PROPOSED OBLIGATION OF FUNDS.—The President shall notify the designated congressional committees at least 15 days before the United States obligates funds for any assessed or voluntary contribution for United Nations peacekeeping activities, except that if the President determines that an emergency exists which prevents compliance with the requirement that such notification be provided 15 days in advance and that such contribution is in the national security interests of the United States, such notification shall be provided in a timely manner but no later than 48 hours after such obligation.”.

SEC. 504. REVISED NOTICE TO CONGRESS REGARDING UNITED STATES ASSISTANCE FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

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

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

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

“(e)(1) Except as provided in paragraphs (2) and (3), at least 15 days before any agency or entity of the United States Government makes available to the United Nations any assistance or facility to support or facilitate United Nations peacekeeping activities, the President shall so notify the designated congressional committees.

“(2) Paragraph (1) does not apply to—

“(A) assistance having a value of less than \$1,000,000 in the case of nonreimbursable assistance or less than \$5,000,000 in the case of reimbursable assistance; or

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

“(3) If the President determines that an emergency exists which prevents compliance with the requirement in paragraph (1) that notification be provided 15 days in advance and that the contribution of any such assistance or facility is in the national security interests of the United States, such notification shall be provided in a timely manner but not later than 48 hours after such assistance or facility is made available to the United Nations.

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

“(A) means assistance of any kind, including logistical support, supplies, goods, or services (including command, control or communications assistance and training), and the grant of rights of passage; and

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

“(C) does not include the payment of assessed or voluntary contributions or intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).”.

SEC. 505. UNITED STATES CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING ACTIVITIES.

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

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

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

“(D) A description of the anticipated budget for the next fiscal year for United States participation in United Nations peacekeeping activities, including a statement of—

“(i) the aggregate amount of funds available to the United Nations for that fiscal year, including assessed and voluntary contributions, which may be made available for United Nations peacekeeping activities; and

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

SEC. 506. REIMBURSEMENT TO THE UNITED STATES FOR IN-KIND CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING ACTIVITIES.

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

(1) in subsection (b)—

(A) by inserting “(1)” after “(b)”;

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

(C) by adding at the end the following:

“(2) The Secretary of Defense may waive the requirement for reimbursement under paragraph (1) if the Secretary, after consultation with the Secretary of State and the Director of the Office of Management and Budget, determines that an emergency exists which justifies waiver of that requirement. Any such waiver shall be submitted to the designated congressional committees, as defined in section 10(a)(3)(B), at least 15 days before it takes effect, except that if the President determines that an emergency exists which prevents compliance with the requirement that the notification be provided 15 days in advance and that the provision under subsection (a)(1) or (a)(2) of personnel or assistance on a nonreimbursable basis is in the national security interests of the United States, such notification shall be provided in a timely manner but no later than 48 hours after such waiver takes effect.”; and

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

“(f) The Secretary of State shall ensure that goods and services provided on a reimbursable basis by the Department of Defense to the United Nations for United Nations peacekeeping operations under this section or any other provision of law are reimbursed at the appropriate value, as determined by the Secretary of Defense.”.

(b) INITIAL REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Representative of the United States to

the United Nations shall submit to the designated congressional committees a report on all actions taken by the United States mission to the United Nations to achieve the objective described in section 7(f) of the United Nations Participation Act of 1945, as added by subsection (a)(2).

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

SEC. 507. LIMITATION ON PAYMENT OF UNITED STATES ASSESSED OR VOLUNTARY CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

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

“(c) LIMITATION ON PAYMENT OF ASSESSED OR VOLUNTARY CONTRIBUTIONS FOR PEACEKEEPING ACTIVITIES.—

“(1) LIMITATION.—Appropriated funds may not be used to pay any United States assessed or voluntary contribution during any fiscal year for United Nations peacekeeping activities until the Secretary of Defense certifies to the designated congressional committees that the United Nations has reimbursed the Department of Defense directly for all goods and services—

“(A) that were provided to the United Nations by the Department of Defense on a reimbursable basis during a previous fiscal year after fiscal year 1994 for United Nations peacekeeping activities, including personnel and assistance provided under section 7 (except to the extent that the authority of subsection (b)(2) of such section to waive the reimbursement requirement was exercised with respect to such personnel or assistance); and

“(B) for which a request for reimbursement has been submitted to the United Nations in accordance with paragraph (2).

“(2) REQUEST FOR REIMBURSEMENT.—The President shall establish procedures for the submission to the United Nations of requests for reimbursement for goods and services provided to the United Nations by the Department of Defense on a reimbursable basis for United Nations peacekeeping activities. Such procedures shall ensure that each such request for reimbursement is submitted in a timely manner.”.

(b) EFFECTIVE DATE.—The limitation in section 10(c)(1) of the United Nations Participation Act of 1945, as added by subsection (a), shall apply only with respect to fiscal years after fiscal year 1995.

SEC. 508. LIMITATION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR UNITED STATES SHARE OF COSTS OF UNITED NATIONS PEACEKEEPING ACTIVITIES.

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

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

“(a) PROHIBITION ON USE OF FUNDS.—Funds available to the Department of Defense may not be used to make a financial contribution (directly or through another department or agency of the United States) to the United Nations—

“(1) for the costs of a United Nations peacekeeping activity; or

“(2) for any United States arrearage to the United Nations.

“(b) APPLICATION OF PROHIBITION.—The prohibition in subsection (a) applies to voluntary contributions, as well as to contributions pursuant to assessment by the United

Nations for the United States share of the costs of a peacekeeping activity.”.

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

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

(b) EFFECTIVE DATE.—Section 406 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 1995.

SEC. 509. CODIFICATION OF LIMITATION ON AMOUNT OF UNITED STATES ASSESSED CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING OPERATIONS.

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

“(d) LIMITATION ON ASSESSED CONTRIBUTION WITH RESPECT TO A PEACEKEEPING OPERATION.—Funds authorized to be appropriated for ‘Contributions for International Peacekeeping Activities’ for any fiscal year shall not be available for the payment of the United States assessed contribution for a United Nations peacekeeping operation in an amount which is greater than 20 percent of the total amount of all assessed contributions for that operation, and any arrearages that accumulate as a result of assessments in excess of 20 percent of the total amount of all assessed contributions for any United Nations peacekeeping operation shall not be recognized or paid by the United States. For any United Nations peacekeeping operation that is initially authorized by the United Nations Security Council before the date of the enactment of this section, the applicable percentages under the preceding sentence shall be 25 percent. For United Nations peacekeeping operations that are initially authorized by the United Nations Security Council on or after the date of the enactment of this section, the President may increase the percentage limitations under the first sentence of this subsection to a percentage not greater than 25 percent. The President may exercise the authority under the preceding sentence only after transmitting to Congress a report providing notice of the percentage increase under the preceding sentence and a statement of the reasons for the increase.”.

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

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

SEC. 510. BUY AMERICAN REQUIREMENT.

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

“(e) BUY AMERICAN REQUIREMENT.—No funds may be obligated or expended to pay any United States assessed or voluntary contribution for United Nations peacekeeping activities unless the Secretary of State determines and certifies to the designated congressional committees that United States manufacturers and suppliers are being given opportunities to provide equipment, services, and material for such activities equal to those being given to foreign manufacturers and suppliers.

“(f) DESIGNATED CONGRESSIONAL COMMITTEES DEFINED.—As used in this section, the

term ‘designated congressional committees’ means—

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

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

SEC. 511. UNITED NATIONS BUDGETARY AND MANAGEMENT REFORM.

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

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

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

“(2) ASSESSED CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING.—At the beginning of each fiscal year, 50 percent of the amount of funds made available for that fiscal year for United States assessed contributions for United Nations peacekeeping activities shall be withheld from obligation and expenditure unless a certification for that fiscal year has been made under subsection (b).

“(3) VOLUNTARY CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING.—The United States may not during any fiscal year pay any voluntary contribution to the United Nations for international peacekeeping activities unless a certification for that fiscal year has been made under subsection (b).

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

“(1) The United Nations has an independent office of Inspector General to conduct and supervise objective audits, inspections, and investigations relating to programs and operations of the United Nations.

“(2) The United Nations has an Inspector General who was appointed by the Secretary General with the approval of the General Assembly and whose appointment was made principally on the basis of the appointee’s integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigation.

“(3) The Inspector General is authorized to—

“(A) make investigations and reports relating to the administration of the programs and operations of the United Nations;

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

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

“(D) have access to all records and officials of the specialized agencies of the United Nations.

“(4) The United Nations has fully implemented, and made available to all member states, procedures that effectively protect the identity of, and prevent reprisals against, any staff member of the United Nations making a complaint or disclosing information to, or cooperating in any investigation or inspection by, the United Nations Inspector General.

“(5) The United Nations has fully implemented procedures that ensure compliance with recommendations of the United Nations Inspector General.

“(6) The United Nations has required the United Nations Inspector General to issue an

annual report and has ensured that the annual report and all other reports of the Inspector General are made available to the General Assembly without modification.

“(7) The United Nations has provided, and is committed to providing, sufficient budgetary resources to ensure the effective operation of the United Nations Inspector General.”

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

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

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

“SEC. 12. (a) PROVISION OF INTELLIGENCE INFORMATION TO THE UNITED NATIONS.—Before intelligence information is provided by the United States to the United Nations, the President shall ensure that the Director of Central Intelligence, in consultation with the Secretary of State and the Secretary of Defense, has established guidelines governing the provision of intelligence information to the United Nations which shall protect intelligence sources and methods from unauthorized disclosure in accordance with section 103(c)(5) of the National Security Act of 1947 (50 U.S.C. 403-3(c)(5)).

“(b) PERIODIC AND SPECIAL REPORTS.—(1) The President shall periodically report, but not less frequently than semiannually, to the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate on the types of intelligence provided to the United Nations and the purposes for which it was provided during the period covered by the report. The President shall also report to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, within 15 days after it becomes known to him, any unauthorized disclosure of intelligence provided to the United Nations.

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

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

“(d) IMPROVED HANDLING OF INTELLIGENCE INFORMATION BY THE UNITED NATIONS.—The Secretary of State (or the designee of the Secretary), in consultation with the Director of Central Intelligence and the Secretary of Defense, shall work with the United Nations to improve the handling, processing, dissemination, and management of all intelligence information provided to it by its members.

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

(1) impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(5) of the National Security Act of 1947 (50 U.S.C. 403-3(c)(5)); or

(2) supersede or otherwise affect the provisions of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).”

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

SEC. 513. REPORT REGARDING REIMBURSEMENT LEVELS PAID BY UNITED NATIONS FOR COSTS INCURRED BY NATIONS AND CONTRACTORS FURNISHING PERSONNEL FOR PEACEKEEPING ACTIVITIES.

(a) INFORMATION RELATING TO NATIONS FURNISHING FORCES.—The Secretary of State shall submit to the Congress a report on the amounts paid by the United Nations during 1994 as compensation for expenses incurred by nations which have provided forces for United Nations peacekeeping activities. The report shall set forth—

(1) the total amount paid to each such nation by the United Nations during 1994 for such purpose; and

(2) with respect to each such nation, the total amount that such nation spent for peacekeeping activities for which it received a payment from the United Nations during 1994, with separate displays for the portion of that amount spent for pay and allowances for personnel of that nation's Armed Forces (including credit for longevity and retirement), for other perquisites relating to the duty of such personnel as part of such peacekeeping activities, and to the extent possible for related incremental costs incurred by such nation as part of such peacekeeping activities.

(b) INFORMATION RELATING TO CONTRACTORS.—

(1) COMPENSATION LEVELS.—The Secretary shall include in the report under subsection (a) a separate report on amounts paid by the United Nations during 1994 under contracts entered into by the United Nations for the provision of civilian management services relating to United Nations peacekeeping activities. The report shall include information on the level of individual compensation received by those contractors, or employees of those contractors, with respect to those peacekeeping activities, including the level of salary, benefits, and allowances.

(2) CONTRACTING PROCESS.—The Secretary shall include in the report a review of the process by which the United Nations selects contractors for the provision of civilian management services relating to United Nations peacekeeping activities. That review shall describe the extent to which that process permits competitive bidding.

(c) PLAN FOR REFORM.—The Secretary shall include in the report under subsection (a) a plan for actions the United States can take to encourage the United Nations to reform the existing system for reimbursement to nations which provide forces for United Nations peacekeeping activities. The plan shall include recommended steps leading to a reimbursement system in which nations contributing forces to a United Nations peacekeeping activity are compensated by the United Nations in a manner that more accurately reflects their actual costs incurred in participating in that activity.

(d) DEADLINE FOR REPORT.—The report required by subsection (a) shall be submitted not later than 90 days after the date of the enactment of this Act.

TITLE VI—EXPANSION OF THE NORTH ATLANTIC TREATY ORGANIZATION

SEC. 601. SHORT TITLE.

This title may be cited as the “NATO Expansion Act of 1995”.

SEC. 602. FINDINGS.

The Congress makes the following findings:

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

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

(3) The steadfast and sustained commitment of the member countries of NATO to

mutual defense against the threat of communist domination played a significant role in precipitating the collapse of the Iron Curtain and the demise of the Soviet Union.

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

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

(6) NATO is the only multilateral organization that is capable of conducting effective military operations to protect Western interests.

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

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

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

(10) By joining the Partnership for Peace, a number of countries have expressed interest in NATO membership.

(11) The Partnership for Peace program is creating new political and military ties with countries in Central and Eastern Europe and provides the basis for joint action to deal with common security problems. Active participation in the Partnership for Peace will also play an important role in the evolutionary process of NATO expansion.

(12) Numerous Central and East European countries, particularly Poland, Hungary, the Czech Republic, and Slovakia, have made significant progress toward establishing democratic institutions, free market economies, civilian control of their Armed Forces, police, and intelligence services, and the rule of law since the fall of their previous communist governments.

SEC. 603. UNITED STATES POLICY.

It should be the policy of the United States—

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

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

(A) the fundamentally changed security environment of Central and Eastern Europe;

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

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

(D) the continuing challenges to the interests of all NATO member countries posed by unstable and undemocratic regimes harboring hostile intentions; and

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

(3) to affirm that NATO military planning should include joint military operations beyond the geographic bounds of the alliance under Article 4 of the North Atlantic Treaty when the shared interests of the United States and other member countries require such action to defend vital interests;

(4) to expeditiously pursue joint cooperation agreements for the acquisition of essential systems to significantly increase the crisis management capability of NATO;

(5) that Poland, Hungary, the Czech Republic, and Slovakia should be in a position to further the principles of the North Atlantic

Treaty and to contribute to the security of the North Atlantic area in the near future, and, in accordance with Article 10 of such Treaty, should be invited to become full NATO members, provided these countries—

(A) meet appropriate standards, including—

- (i) shared values and interests;
- (ii) democratic governments;
- (iii) free market economies;
- (iv) civilian control of the military, of the police, and of the intelligence and other security services, so that these organizations do not pose a threat to democratic institutions, neighboring countries, or the security of NATO or the United States;
- (v) adherence to the rule of law and to the values, principles, and political commitments set forth in the Helsinki Final Act and other declarations by the members of the Organization on Security and Cooperation in Europe;
- (vi) commitment to further the principles of NATO and to contribute to the security of the North Atlantic area;
- (vii) commitment and ability to accept the obligations, responsibilities, and costs of NATO membership; and
- (viii) commitment and ability to implement infrastructure development activities that will facilitate participation in and support for NATO military activities; and

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

(6) that the United States, other NATO member nations, and NATO itself should furnish appropriate assistance to facilitate the transition of Poland, Hungary, the Czech Republic, and Slovakia to full NATO membership;

(7) that, when any other European country emerging from communist domination is in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area, it should, in accordance with Article 10 of such Treaty, be invited to become a full NATO member, provided it—

(A) meets appropriate standards, including each of the standards specified in clauses (i) through (viii) of paragraph (5)(A); and

(B) remains committed to protecting the rights of all its citizens and respecting the territorial integrity of its neighbors;

(8) that the United States, other NATO member nations, and NATO itself should furnish appropriate assistance to facilitate the transition of other European countries emerging from communist domination to full NATO membership at the appropriate time;

(9) to reaffirm Article 10 of the North Atlantic Treaty and the policy decision of the North Atlantic Council on December 1, 1994, that—

(A) each new member nation may be admitted to NATO only by amendment to the North Atlantic Treaty; and

(B) each current NATO member nation will have to complete the treaty amendment ratification process for the admission of each new member nation to NATO, subject to the internal legal processes of each current NATO member nation, and that in the case of the United States, the treaty amendment ratification process will require advice and consent of two-thirds of the members of the United States Senate present and voting;

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

(11) that NATO and its member nations should work to strengthen other structures of security in Europe.

SEC. 604. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP.

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

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

(b) ELIGIBLE COUNTRIES.—

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

“(d) DESIGNATION OF ELIGIBLE COUNTRIES.—“(1) SPECIFIED COUNTRIES.—The following countries are hereby designated for purposes of this title: Poland, Hungary, the Czech Republic, and Slovakia.

“(2) AUTHORITY FOR PRESIDENT TO DESIGNATE OTHER EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—The President may designate other European countries emerging from communist domination (as defined in section 206) to receive assistance under the program established under subsection (a). The President may make such a designation in the case of any such country only if the President determines, and reports to the designated congressional committees, that such country—

“(A) has made significant progress toward establishing—

- “(i) shared values and interests;
- “(ii) democratic governments;
- “(iii) free market economies;
- “(iv) civilian control of the military, of the police, and of the intelligence and other security services, so that these organizations do not pose a threat to democratic institutions, neighboring countries, or the security of NATO or the United States;

“(v) adherence to the rule of law and to the values, principles, and political commitments set forth in the Helsinki Final Act and other declarations by the members of the Organization on Security and Cooperation in Europe;

“(vi) commitment to further the principles of NATO and to contribute to the security of the North Atlantic area;

“(vii) commitment and ability to accept the obligations, responsibilities, and costs of NATO membership; and

“(viii) commitment and ability to implement infrastructure development activities that will facilitate participation in and support for NATO military activities; and

“(B) is likely, within five years of such determination, to be in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area.”

(2) CONFORMING AMENDMENTS.—

(A) Subsections (b) and (c) of such section are amended by striking “countries described in such subsection” and inserting “countries designated under subsection (d)”.

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

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

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

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

(c) TYPES OF ASSISTANCE.—

(1) ECONOMIC SUPPORT ASSISTANCE.—Subsection (c) of section 203 of such Act is amended—

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

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

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

(2) ADDITIONAL ASSISTANCE.—

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

“(f) ADDITIONAL ASSISTANCE.—In carrying out the program established under subsection (a), the President may, in addition to the security assistance authorized to be provided under subsection (c), provide assistance to countries designated under subsection (d) from funds appropriated under the ‘Nonproliferation and Disarmament Fund’ account.”

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

(d) DISQUALIFICATION FROM ASSISTANCE FOR SUPPORT OF TERRORISM.—Section 203 of such Act is further amended by adding at the end the following new subsection:

“(g) PROHIBITION ON PROVIDING ASSISTANCE TO COUNTRIES THAT PROVIDE DEFENSE ARTICLES TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—The President may not provide assistance to a country under the program established under subsection (a) if such country is selling or transferring defense articles to a state that has repeatedly provided support for acts of international terrorism, as determined by the Secretary of State under section 6(j) of the Export Administration Act of 1979.”

(e) REPORT PRIOR TO OBLIGATION OR EXPENDITURE OF FUNDS.—Section 203 of such Act (as amended by subsection (d)) is further amended by adding at the end the following:

“(h) REPORT PRIOR TO OBLIGATION OR EXPENDITURE OF FUNDS.—Prior to providing assistance to a country for the first time through the program established under subsection (a), the President shall transmit to the designated congressional committees a report with respect to that country that contains a description of the following:

“(1) The cost of membership in NATO for the country and the amount that the country is prepared to contribute to NATO to pay for such cost of membership.

“(2) The amount that the United States will contribute to facilitate transition to full NATO membership for the country.

“(3) The extent to which the admission to NATO of the country would contribute to the security of the United States.

“(4) The views of other NATO member nations regarding the admission to NATO of the country and the amounts that such other NATO member nations will contribute to facilitate transition to full NATO membership for the country.

“(5) The number, types, and costs of NATO Armed Forces that would be required to defend the country and the number, types, and costs of United States Armed Forces that would be required as part of such a NATO force.

“(6) Whether the United States is prepared to provide a nuclear guarantee to the country.

“(7) The likelihood that the country may become involved in disputes or armed conflict with neighboring countries in the region.”

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

(1) by inserting “annual” in the section heading before the first word;

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

(3) in paragraphs (1) and (2), by striking "and other" and all that follows through the period at the end and inserting "and any country designated by the President pursuant to section 203(d)(2)."

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

SEC. 206. DEFINITIONS.

"For purposes of this title:

"(1) NATO.—The term 'NATO' means the North Atlantic Treaty Organization.

"(2) OTHER EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—The term 'other European countries emerging from communist domination' means any full and active participant in the Partnership for Peace that—

"(A) is among the following countries: Estonia, Latvia, Lithuania, Romania, Bulgaria, or Albania; or

"(B) is among certain countries that were a part of the former Union of Soviet Socialist Republics or that were part of the former Socialist Federal Republic of Yugoslavia, which the President may designate pursuant to section 203(d)(2) of this Act.

"(3) DESIGNATED CONGRESSIONAL COMMITTEES.—The term 'designated congressional committees' means—

"(A) the Committee on International Relations, the Committee on National Security, and the Committee on Appropriations of the House of Representatives; and

"(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate."

TITLE VII—BUDGET FIREWALLS

SEC. 701. RESTORATION OF BUDGET FIREWALLS FOR DEFENSE SPENDING.

It is the sense of the Congress that, in order to protect against the diversion of defense funding to domestic discretionary accounts, so-called "budget firewalls" between defense and domestic discretionary spending should be established for each of fiscal years 1996, 1997, and 1998.

Passed the House of Representatives February 16, 1995.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. SKELTON moved to recommit the bill to the Committee on National Security with instructions to report the bill back to the House forthwith with the following amendment:

Strike out the last section of title II (relating to the ballistic missile defense as a component of military readiness) and insert the following:

Section 204. Readiness Certification.

Of the total amount of funds appropriated or otherwise made available for the Department of Defense for fiscal year 1996, the amount obligated for national missile defense programs may not exceed the amount made available for national missile defense programs for fiscal year 1995 until the Secretary of Defense certifies to the Congress that the armed forces are properly sized, equipped, housed, and structured and are ready to carry out the assigned missions as required by the national military strategy.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. BUNNING, announced that the nays had it.

Mr. VOLKMER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 197 Nays 225

28.17 [Roll No. 144] YEAS—197

- Abercrombie Gordon Orton Ackerman Gutierrez Owens Andrews Hall (OH) Pallone Baesler Hamilton Parker Baldacci Harman Pastor Barcia Hayes Payne (NJ) Barrett (WI) Hefner Payne (VA) Beilenson Hilliard Pelosi Bentsen Hinchey Peterson (FL) Berman Holden Peterson (MN) Bishop Hoyer Petri Bonior Jackson-Lee Pickett Borski Jacobs Pomeroy Boucher Jefferson Porter Brewster Johnson (SD) Poshard Brown (CA) Johnson, E. B. Rahall Brown (FL) Johnston Rangel Brown (OH) Kanjorski Reed Bryant (TX) Kaptur Reynolds Cardin Kennedy (MA) Richardson Gilman Kennedy (RI) Rivers Goodlatte Kennelly Roemer Goodling Goss Metcalf Goss Graham Meyers Greenwood Miller (FL) Gunderson Molarini Gutknecht Molinari Hall (TX) Moorhead Hancock Myer Myrick Hansen Nethercutt Hastert Neumann Hayworth Ney Hefley Norwood Heineman Nussle Herger Oxley Hilleary Packard Hobson Paxon Hoekstra Pombo Hoke Portman Horn Pryce Hostettler Quinn Houghton Quinn Tejada Thompson Thurman Torres Torricelli Towns Tucker Upton Velazquez Vento Visclosky Volkmer Ward Waters Watt (NC) Waxman Williams Wise Woolsey Wyden Wynn Yates

NAYS—225

- Allard Bliley Canady Archer Blute Castle Army Boehlert Chabot Bachus Boehner Chambliss Baker (CA) Bonilla Christensen Baker (LA) Bono Chrysler Ballenger Browder Clinger Barr Brownback Coburn Barrett (NE) Bryant (TN) Collins (GA) Bartlett Bunn Combest Barton Bunning Cooley Bass Burr Crane Bateman Burton Cramer Bereuter Buyer Crane Bevill Callahan Crapo Bilbray Calvert Cremeans Bilirakis Camp

- Cunningham Hunter Ramstad Davis Hutchinson Regula DeLay Hyde Riggs Diaz-Balart Inglis Roberts Dickey Istook Rogers Doolittle Johnson (CT) Rohrabacher Dornan Johnson, Sam Ros-Lehtinen Dreier Jones Roth Duncan Kasich Roukema Dunn Kelly Royce Ehlers Kim Salmon Ehrlich King Sanford Emerson Kingston Saxton English Klug Scarborough Ensign Knollenberg Schaefer Everett Kolbe Schiff Ewing LaHood Seastrand Fawell Largent Sensenbrenner Fields (TX) Latham Shadegg Flanagan LaTourette Shaw Foley Lazio Shays Forbes Lewis (CA) Shuster Fowler Lewis (KY) Skeen Fox Lightfoot Smith (MI) Franks (CT) Linder Smith (NJ) Franks (NJ) Livingston Smith (TX) Frelinghuysen LoBiondo Smith (WA) Frisa Longley Solomon Funderburk Lucas Souder Gallegly Manzullo Spence Ganske Martini Stearns Gekas McCollum Stockman Gilchrest McCrery Stump Gillmor McDade Talent Gilman McInnis Tate Goodlatte McIntosh Taylor (NC) Goodling McKeon Thomas Goss Metcalf Thornberry Graham Meyers Tiaht Greenwood Mica Torkildsen Gunderson Miller (FL) Traficant Gutknecht Molarini Vucanovich Hall (TX) Moorhead Waldholtz Hancock Myer Walker Hansen Myrick Walsh Hastert Nethercutt Wamp Hastings (WA) Neumann Watts (OK) Hayworth Ney Weldon (FL) Hefley Norwood Weldon (PA) Heineman Nussle Weller Herger Oxley White Hilleary Packard Whitfield Hobson Paxon Wicker Hoekstra Pombo Wolf Hoke Portman Young (AK) Horn Pryce Young (FL) Hostettler Quinn Zeliff Houghton Quinn Zimmer

NOT VOTING—12

- Becerra Hastings (FL) Schumer Chenoweth Lewis (GA) Stokes Clay McHugh Thornton Green Radanovich Wilson

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BUNNING, announced that the yeas had it.

Mr. DELLUMS demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { affirmative 241 Nays 181

28.18 [Roll No. 145] AYES—241

- Allard Barton Bonilla Andrews Bass Bono Archer Bateman Brownback Army Bereuter Bryant (TN) Bachus Bevil Bunn Baker (CA) Bilbray Bunning Cox Baker (LA) Bilirakis Burr Ballenger Bliley Burton Barr Blute Buyer Barrett (NE) Boehlert Callahan Boehner Calvert