

110TH CONGRESS  
1ST SESSION

# S. 494

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## AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 Congress—

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

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

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

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

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

12 (a) DESIGNATION.—

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

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

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

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

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

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

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

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

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

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

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

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

Passed the Senate March 15, 2007.

Attest:

*Secretary.*

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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