

## Calendar No. 399

106TH CONGRESS  
1ST SESSION

## S. J. RES. 37

Urging the President to negotiate a new base rights agreement with the Government of Panama in order for United States Armed Forces to be stationed in Panama after December 31, 1999.

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### IN THE SENATE OF THE UNITED STATES

NOVEMBER 4, 1999

Mr. SMITH of New Hampshire introduced the following joint resolution; which was read the first time

NOVEMBER 5, 1999

Read the second time and placed on the calendar

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## JOINT RESOLUTION

Urging the President to negotiate a new base rights agreement with the Government of Panama in order for United States Armed Forces to be stationed in Panama after December 31, 1999.

Whereas the Panama Canal remains a vital economic and strategic asset to the United States, its allies, and the world;

Whereas the United States has maintained a military presence in Panama since Panama gained its independence in 1903, ensuring the protection of the Canal and its unfettered operations;

Whereas the United States Armed Forces have depended upon the Panama Canal for rapid transit in times of global conflict, including during World War II, the Korean War, the Vietnam War, the Cuban Missile Crisis, and the Persian Gulf War;

Whereas the 1977 Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal provides that Panama and the United States have the joint responsibility to ensure that the Panama Canal will remain open and secure, and provides that each signatory, in accordance with their constitutional processes, shall defend the Canal against any threat to its neutrality and shall have the right to act against threats against the peaceful transit of vessels through the Canal;

Whereas the Government of Panama, in the bilateral Protocol of Exchange of instruments of ratification, agreed to consider negotiating future arrangements or agreements to maintain military forces necessary to fulfill the responsibility of both signatories to maintain the neutrality of the Canal;

Whereas the common interests of Panama and the United States have produced close relations between the two nations and a shared interest in protecting the Canal and its operations;

Whereas public opinion surveys in Panama consistently demonstrate that an estimated 70 percent of the people of Panama support a continued United States military presence in Panama;

Whereas Panama and the United States are both confronting growing problems with illegal drug trafficking, money laundering, and narcoterrorism in the Western Hemi-

sphere, and those problems threaten peace and security in the region;

Whereas facilities now utilized by the United States Armed Forces in Panama are essential to the coordination of any counter-narcotic efforts in the region;

Whereas the Revolutionary Armed Forces of Colombia (FARC), a narco-trafficking terrorist organization, is operating from Panamanian territory and poses a risk to the security of Panama and to the stability of Latin America;

Whereas the former United States Ambassador to Panama and others have protested the lack of transparency and the unorthodox bidding process in the granting of leases for the port facilities at Balboa and Cristobal in 1997 during the Administration of former Panamanian President Balladares; and

Whereas the passage of Panama Law Number 5 and the lease agreements for the port facilities at Balboa and Cristobal, because of reputed affiliations between the leaseholder and the People's Republic of China and the People's Liberation Army, have created concern about the future security of the Canal and its continued unfettered operations and the future disposition of United States facilities in Panama: Now, therefore, be it

1       *Resolved by the Senate and House of Representatives*  
 2       *of the United States of America in Congress assembled, That*  
 3       it is the sense of Congress that—

4               (1) the President should negotiate a new base  
 5       rights agreement with the newly inaugurated Gov-  
 6       ernment of Panama—

1 (A) to permit stationing of United States  
2 Armed Forces in Panama beyond December 31,  
3 1999; and

4 (B) to ensure that the Panama Canal re-  
5 mains open, secure, and neutral, consistent with  
6 the Panama Canal Treaty, the Treaty Con-  
7 cerning the Permanent Neutrality and Oper-  
8 ation of the Panama Canal, and the resolutions  
9 of ratification thereto;

10 (2) the President should ensure that United  
11 States military facilities which could be utilized for  
12 stationing of United States Armed Forces shall be  
13 fully maintained and secured if the Government of  
14 Panama is willing to enter into good faith negotia-  
15 tions for a continued United States military pres-  
16 ence; and

17 (3) the President should consult with Congress  
18 throughout the negotiations described in paragraph  
19 (1).



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