

112TH CONGRESS
2D SESSION

H. R. 4243

To strengthen the North Atlantic Treaty Organization.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2012

Mr. TURNER of Ohio (for himself and Mr. MILLER of Florida) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To strengthen the North Atlantic Treaty Organization.

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 Enhancement
5 Act of 2012”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The sustained commitment of the North At-
9 lantic Treaty Organization (NATO) to mutual de-
10 fense has made possible the democratic trans-
11 formation of Central and Eastern Europe.

1 (2) Lasting stability and security in Europe re-
2 quires the further military, economic, and political
3 integration of emerging democracies into existing
4 European and transatlantic structures.

5 (3) NATO is not directed against any single ad-
6 versary and must continue to develop close partner-
7 ships with non-member nations.

8 (4) In an era of threats from terrorism and the
9 proliferation of weapons of mass destruction, the
10 North Atlantic Treaty Organization has effectively
11 adapted its mission and responded to new threats
12 and challenges.

13 (5) NATO is currently involved in several oper-
14 ations benefiting United States national security, in-
15 cluding the International Security and Assistance
16 Force (ISAF) for Afghanistan, NATO's Kosovo
17 Force (KFOR), the counter-terrorism Operation Ac-
18 tive Endeavor in the Mediterranean Sea, anti-piracy
19 Operation Ocean Shield off the Horn of Africa, sup-
20 port for African Union missions, as well as the com-
21 pleted missions of Operation Unified Protector in
22 Libya in 2011, the Implementation (IFOR) and Sta-
23 bilization Forces (SFOR) in Bosnia and
24 Herzegovina, Operation Essential Harvest in Mac-
25 edonia, training of Iraqi security forces, and human-

1 itarian missions after Hurricane Katrina, in Darfur,
2 and in Pakistan.

3 (6) NATO serves as a force multiplier, whose
4 command structures, training institutions, and mul-
5 tilateral exercises have generated unprecedented
6 multinational contributions to United States na-
7 tional security priorities and enabled European sol-
8 diers to fight side-by-side with members of the
9 United States Armed Forces.

10 (7) NATO is a community of democracies that
11 can act collectively to promote freedom, stability,
12 and peace around the globe.

13 (8) Allies who have recently acceded to NATO,
14 as well as partner nations such as Bosnia and
15 Herzegovina, Georgia, the Republic of Macedonia,
16 and Montenegro are among the highest per capita
17 contributors to NATO missions.

18 (9) Members of the United States Armed
19 Forces and NATO forces have provided tremendous
20 sacrifice on behalf of the freedom and security of the
21 NATO alliance, and those soldiers who have per-
22 ished fighting on behalf of the Western alliance
23 should be forever remembered for their ultimate sac-
24 rifice.

1 (10) In the NATO Participation Act of 1994
2 (title II of Public Law 103–447; 22 U.S.C. 1928
3 note), Congress declared that “full and active par-
4 ticipants in the Partnership for Peace in a position
5 to further the principles of the North Atlantic Trea-
6 ty and to contribute to the security of the North At-
7 lantic area should be invited to become full NATO
8 members in accordance with Article 10 of such
9 Treaty at an early date”.

10 (11) In the NATO Enlargement Facilitation
11 Act of 1996 (22 U.S.C. 1928 note 110 Stat. 3009–
12 173), Congress called for the prompt admission of
13 Poland, Hungary, the Czech Republic, and Slovenia
14 to the North Atlantic Treaty Organization, and de-
15 clared that “in order to promote economic stability
16 and security in Slovakia, Estonia, Latvia, Lithuania,
17 Romania, Bulgaria, Albania, Moldova, and Ukraine
18 . . . the process of enlarging NATO to include
19 emerging democracies in Central and Eastern Eu-
20 rope should not be limited to consideration of admit-
21 ting Poland, Hungary, the Czech Republic, and Slo-
22 venia as full members of the NATO Alliance”.

23 (12) At the Madrid Summit of the North Atlan-
24 tic Treaty Organization in July 1997, Poland, Hun-
25 gary, and the Czech Republic were invited to join

1 the Alliance, and the North Atlantic Treaty Organi-
2 zation Heads of State and Government issued a dec-
3 laration stating, “The alliance expects to extend fur-
4 ther invitations in coming years to nations willing
5 and able to assume the responsibilities and obliga-
6 tions of membership . . . No European democratic
7 country whose admission would fulfill the objectives
8 of the [North Atlantic] Treaty will be excluded from
9 consideration.”.

10 (13) In the European Security Act of 1998 (22
11 U.S.C. 1928 note; 112 Stat. 2681–839), Congress
12 declared that “Poland, Hungary, and the Czech Re-
13 public should not be the last emerging democracies
14 in Central and Eastern Europe invited to join
15 NATO” and that “Romania, Estonia, Latvia, Lith-
16 uania, and Bulgaria . . . would make an out-
17 standing contribution to furthering the goals of
18 NATO and enhancing stability, freedom, and peace
19 in Europe should they become NATO members
20 [and] upon complete satisfaction of all relevant cri-
21 teria should be invited to become full NATO mem-
22 bers at the earliest possible date”.

23 (14) On February 11, 1998, the Senate ap-
24 proved the resolution of advice and consent to ratifi-
25 cation of the Protocols to the North Atlantic Treaty

1 of 1949 on Accession of Poland, Hungary, and the
2 Czech Republic (Treaty Document 105–36), inviting
3 Poland, Hungary, and the Czech Republic to join
4 the North Atlantic Treaty Organization.

5 (15) At the Washington Summit of the North
6 Atlantic Treaty Organization in April 1999, the
7 North Atlantic Treaty Organization Heads of State
8 and Government issued a communique declaring,
9 “We pledge that NATO will continue to welcome
10 new members in a position to further the principles
11 of the [North Atlantic] Treaty and contribute to
12 peace and security in the Euro-Atlantic area . . .
13 The three new members will not be the last . . . No
14 European democratic country whose admission
15 would fulfill the objectives of the Treaty will be ex-
16 cluded from consideration, regardless of its geo-
17 graphic location . . .”.

18 (16) In the Gerald B. H. Solomon Freedom
19 Consolidation Act of 2002 (Public Law 107–187; 22
20 U.S.C. 1928 note), Congress endorsed “the vision of
21 further enlargement of the NATO Alliance articu-
22 lated by President George W. Bush on June 15,
23 2001, and by former President William J. Clinton
24 on October 22, 1996”.

1 (17) At the Prague Summit of the North Atlan-
2 tic Treaty Organization in November 2002, Bul-
3 garia, Estonia, Latvia, Lithuania, Romania, Slo-
4 vakia, and Slovenia were invited to join the Alliance
5 in the second round of enlargement of the North At-
6 lantic Treaty Organization since the end of the Cold
7 War, and the North Atlantic Treaty Organization
8 Heads of State and Government issued a declaration
9 stating, “NATO’s door will remain open to Euro-
10 pean democracies willing and able to assume the re-
11 sponsibilities and obligations of membership, in ac-
12 cordance with Article 10 of the Washington Trea-
13 ty.”.

14 (18) On May 8, 2003, the Senate unanimously
15 approved the resolution of advice and consent to
16 ratification of the Protocols to the North Atlantic
17 Treaty of 1949 on Accession of Bulgaria, Estonia,
18 Latvia, Lithuania, Romania, Slovakia, and Slovenia,
19 inviting Bulgaria, Estonia, Latvia, Lithuania, Roma-
20 nia, Slovakia, and Slovenia (Treaty Document 108–
21 4), inviting those countries to join the North Atlan-
22 tic Treaty Organization.

23 (19) At the Istanbul Summit of the North At-
24 lantic Treaty Organization in June 2004, the North
25 Atlantic Treaty Organization Heads of State and

1 Government issued a communique reaffirming that
2 NATO's door remains open to new members, declar-
3 ing, "We celebrate the success of NATO's Open
4 Door Policy, and reaffirm today that our seven new
5 members will not be the last. The door to member-
6 ship remains open. We welcome the progress made
7 by Albania, Croatia, and the former Yugoslav Re-
8 public of Macedonia⁽¹⁾ in implementing their Annual
9 National Programmes under the Membership Action
10 Plan, and encourage them to continue pursuing the
11 reforms necessary to progress toward NATO mem-
12 bership. We also commend their contribution to re-
13 gional stability and cooperation. We want all three
14 countries to succeed and will continue to assist them
15 in their reform efforts. NATO will continue to assess
16 each country's candidacy individually, based on the
17 progress made towards reform goals pursued
18 through the Membership Action Plan, which will re-
19 main the vehicle to keep the readiness of each aspi-
20 rant for membership under review. We direct that
21 NATO Foreign Ministers keep the enlargement
22 process, including the implementation of the Mem-
23 bership Action Plan, under continual review and re-
24 port to us. We will review at the next Summit

1 progress by aspirants towards membership based on
2 that report.”.

3 (20) At the Riga Summit of the North Atlantic
4 Treaty Organization in November 2006, the Heads
5 of State and Government of the member countries of
6 NATO issued a declaration reaffirming that NATO’s
7 door remains open to new members, declaring, “[A]ll
8 European democratic countries may be considered
9 for MAP (Membership Action Plan) or admission,
10 subject to decision by the NAC (North Atlantic
11 Council) at each stage, based on the performance of
12 these countries towards meeting the objectives of the
13 North Atlantic Treaty. We direct that NATO For-
14 eign Ministers keep that process under continual re-
15 view and report to us. We welcome the efforts of Al-
16 bania, Croatia, and the former Yugoslav Republic of
17 Macedonia to prepare themselves for the responsibil-
18 ities and obligations of membership. We reaffirm
19 that the Alliance will continue with Georgia and
20 Ukraine its Intensified Dialogues which cover the
21 full range of political, military, financial and security
22 issues relating to those countries’ aspirations to
23 membership, without prejudice to any eventual Alli-
24 ance decision. We reaffirm the importance of the
25 NATO-Ukraine Distinctive Partnership, which has

1 its 10th anniversary next year and welcome the
2 progress that has been made in the framework of
3 our Intensified Dialogue. We appreciate Ukraine’s
4 substantial contributions to our common security, in-
5 cluding through participation in NATO-led oper-
6 ations and efforts to promote regional cooperation.
7 We encourage Ukraine to continue to contribute to
8 regional security. We are determined to continue to
9 assist, through practical cooperation, in the imple-
10 mentation of far-reaching reform efforts, notably in
11 the fields of national security, defence, reform of the
12 defence-industrial sector and fighting corruption. We
13 welcome the commencement of an Intensified Dia-
14 logue with Georgia as well as Georgia’s contribution
15 to international peacekeeping and security oper-
16 ations. We will continue to engage actively with
17 Georgia in support of its reform process. We encour-
18 age Georgia to continue progress on political, eco-
19 nomic and military reforms, including strengthening
20 judicial reform, as well as the peaceful resolution of
21 outstanding conflicts on its territory. We reaffirm
22 that it is of great importance that all parties in the
23 region should engage constructively to promote re-
24 gional peace and stability.”.

1 (21) In the NATO Freedom Consolidation Act
2 of 2007 (Public Law 110–17; 22 U.S.C. 1928 note),
3 Congress designated Albania, Croatia, Georgia, the
4 Republic of Macedonia, and Ukraine eligible to re-
5 ceive assistance under the NATO Participation Act
6 of 1994 and expressed support for “qualified can-
7 didate states, specifically by entering into a Member-
8 ship Action Plan with Georgia and recognizing the
9 progress toward meeting the responsibilities and ob-
10 ligations of NATO membership by Albania, Croatia,
11 Georgia, the Republic of Macedonia, and Ukraine”.

12 (22) At the Bucharest Summit of the North At-
13 lantic Treaty Organization in April 2008, the Heads
14 of State and Government of the member countries of
15 NATO declared, “NATO’s ongoing enlargement
16 process has been an historic success in advancing
17 stability and cooperation and bringing us closer to
18 our common goal of a Europe whole and free, united
19 in peace, democracy and common values. NATO’s
20 door will remain open to European democracies will-
21 ing and able to assume the responsibilities and obli-
22 gations of membership, in accordance with Article
23 10 of the Washington Treaty. We reiterate that de-
24 cisions on enlargement are for NATO itself to
25 make.”.

1 (23) At the Bucharest Summit of the North At-
2 lantic Treaty Organization in April 2008, the Heads
3 of State and Government of the member countries of
4 NATO declared, “NATO welcomes Ukraine’s and
5 Georgia’s Euro-Atlantic aspirations for membership
6 in NATO. We agreed today that these countries will
7 become members of NATO. Both nations have made
8 valuable contributions to Alliance operations.”.

9 (24) The Bucharest Declaration also stated,
10 “[W]e have decided to invite Albania and Croatia to
11 begin accession talks to join our Alliance. We con-
12 gratulate these countries on this historic achieve-
13 ment, earned through years of hard work and a
14 demonstrated commitment to our common security
15 and NATO’s shared values.”.

16 (25) On September 25, 2008, the Senate ap-
17 proved the Resolution Advising and Consenting to
18 Ratification of the Protocols to the North Atlantic
19 Treaty of 1949 on Accession of Albania and Croatia
20 (Treaty Document 110–20), inviting Croatia and Al-
21 bania to join the North Atlantic Treaty Organiza-
22 tion.

23 (26) At the Strasbourg/Kehl NATO Summit,
24 the Heads of State and Government participating in
25 the meeting of the North Atlantic Council on April

1 4, 2009, reiterated that “[i]n accordance with Arti-
2 cle 10 of the Washington Treaty, NATO’s door will
3 remain open to all European democracies which
4 share the values of our Alliance, which are willing
5 and able to assume the responsibilities and obliga-
6 tions of membership, and whose inclusion can con-
7 tribute to common security and stability”.

8 (27) On April 4, 2009, at the Strasbourg/Kehl
9 NATO Summit, President Barack Obama stated,
10 “I’d also like to note that as we welcome Albania
11 and Croatia to NATO, this will not be the last time
12 that we have such a celebration, and I look forward
13 to the day when we can welcome Macedonia to the
14 Alliance. The door to membership will remain open
15 for other countries that meet NATO’s standards and
16 can make a meaningful contribution to allied secu-
17 rity.”.

18 (28) At the Lisbon Summit of the North Atlan-
19 tic Treaty Organization in November 2010, the
20 Heads of State and Government of the member
21 countries of NATO declared, “NATO’s door will re-
22 main open to all European democracies which share
23 the values of our Alliance, which are willing and able
24 to assume the responsibilities and obligations of
25 membership, which are in a position to further the

1 principles of the Treaty, and whose inclusion can
2 contribute to the security of the North Atlantic
3 area.”.

4 (29) The Lisbon Declaration of November 2010
5 included the following statements:

6 (A) “We reiterate the agreement at our
7 2008 Bucharest Summit to extend an invitation
8 to the former Yugoslav Republic of Macedonia
9 as soon as a mutually acceptable solution to the
10 name issue has been reached within the frame-
11 work of the UN, and urge intensified efforts to-
12 wards that end.”.

13 (B) “We welcome the considerable
14 progress that Montenegro has made on its road
15 to Euro-Atlantic integration and its contribu-
16 tion to security in the region and beyond, in-
17 cluding through its participation in ISAF. Its
18 active engagement in the Membership Action
19 Plan (MAP) process demonstrates
20 Montenegro’s firm commitment to join the Alli-
21 ance.”.

22 (C) “We fully support the membership as-
23 piration of Bosnia and Herzegovina.”.

24 (D) “We welcome, and continue to sup-
25 port, the Government of Serbia’s stated com-

1 mitment to Serbia's Euro-Atlantic integra-
2 tion.".

3 (E) "At the 2008 Bucharest Summit we
4 agreed that Georgia will become a member of
5 NATO and we reaffirm all elements of that de-
6 cision, as well as subsequent decisions.".

7 (F) "A stable, democratic and economically
8 prosperous Ukraine is an important factor for
9 Euro-Atlantic security.".

10 (30) The Republic of Macedonia should not
11 have been denied NATO Membership in 2008.

12 (31) Bosnia and Herzegovina, Georgia, the Re-
13 public of Macedonia, and Montenegro have expressed
14 a clear national intent to join NATO and should
15 therefore be granted Membership Action Plans.

16 (32) The Governments of Bosnia and
17 Herzegovina, Georgia, the Republic of Macedonia,
18 and Montenegro have met the basic standards for
19 accession (even as specific defense reforms continue)
20 and displayed their willingness and ability to meet
21 the responsibilities of membership in the North At-
22 lantic Treaty Organization, and the accession of
23 these countries, as well as continued development of
24 cooperation with other Partnership for Peace mem-
25 bers, would benefit security and stability in Europe

1 and advance United States national security inter-
2 ests.

3 (33) The NATO Lisbon Declaration of 2010
4 also enshrined NATO's commitment to territorial
5 missile defense, stating, "The threat to NATO Eu-
6 ropean populations, territory and forces posed by the
7 proliferation of ballistic missiles is increasing. As
8 missile defence forms part of a broader response to
9 counter this threat, we have decided that the Alli-
10 ance will develop a missile defence capability to pur-
11 sue its core task of collective defence."

12 (34) Political support for missile defense as a
13 NATO mission will be strongest if the costs and
14 benefits are broadly shared throughout the Alliance,
15 including through greater European financial and
16 industrial contributions to the missile defense mis-
17 sion.

18 (35) The NATO Lisbon Declaration reaffirmed
19 the Alliance commitment to fund NATO operations
20 at adequate levels, stating, "We reaffirm our resolve
21 to continue to provide the resources, including the
22 forces and capabilities required to perform the full
23 range of Alliance missions. . . . We are determined
24 to pursue reform and defence transformation and

1 continue to make our forces more deployable, sus-
2 tainable, interoperable, and thus more usable.”.

3 **SEC. 3. STATEMENT OF POLICY.**

4 (a) ENLARGEMENT.—It is the policy of the United
5 States—

6 (1) to continue to foster the creation of a Eu-
7 rope whole, free, and at peace;

8 (2) to support the right of every nation of Eu-
9 rope to choose its own defense alliances and security
10 relationships;

11 (3) to reject the notion of privileged spheres of
12 influence;

13 (4) to continue to strongly support an “open
14 door” policy with respect to the accession of addi-
15 tional countries to the North Atlantic Treaty Orga-
16 nization, including the NATO aspirant nations of
17 Bosnia and Herzegovina, Georgia, the Republic of
18 Macedonia, and Montenegro;

19 (5) to continue to provide assistance to coun-
20 tries aspiring to accede to, or deepen relationships
21 with, NATO in terms of providing training, defense
22 planning assistance, military exchanges, and security
23 assistance; and

24 (6) to continue to advocate these goals within
25 the NATO alliance and encourage the accession to

1 NATO of all aspirant nations, including Bosnia and
2 Herzegovina, Georgia, the Republic of Macedonia,
3 and Montenegro.

4 (b) DETERRENCE.—With respect to United States
5 forward deployed nuclear weapons in Europe, the policy
6 of the United States will be guided by the following prin-
7 ciples:

8 (1) As long as nuclear weapons exist, NATO
9 will remain a nuclear alliance.

10 (2) The presence of nuclear weapons of the
11 United States in Europe—combined with NATO’s
12 unique nuclear sharing arrangements under which
13 non-nuclear members participate in nuclear planning
14 and possess specially configured aircraft capable of
15 delivering nuclear weapons—contributes to the cohe-
16 sion of NATO and provides reassurance to allies and
17 partners who feel exposed to regional threats and a
18 tool in dealing with neighboring states hostile to
19 NATO.

20 (3) The United States should pursue negotia-
21 tions with the Russian Federation aimed at the re-
22 duction of Russian deployed and nondeployed, non-
23 strategic nuclear forces.

24 (4) Nonstrategic nuclear weapons should be
25 considered when weighing the balance of the nuclear

1 forces of the United States and the Russian Federa-
2 tion.

3 (5) Any geographical relocation or storage of
4 nonstrategic nuclear weapons by the Russian Fed-
5 eration does not constitute a reduction or elimi-
6 nation of such weapons.

7 (6) The vast advantage of the Russian Federa-
8 tion in nonstrategic nuclear weapons constitutes a
9 threat to the United States and its allies and a
10 growing asymmetry in Western Europe.

11 (c) NATO MISSILE DEFENSE.—It is the policy of the
12 United States that—

13 (1) the European Phased Adaptive Approach
14 (EPAA) is a United States program to support
15 NATO's mission of territorial defense against bal-
16 listic missile attack;

17 (2) the United States will continue to imple-
18 ment and fund, with financial support of allies, all
19 four phases of the EPAA, consistent with President
20 Obama's letter to the Senate on December 18, 2010;

21 (3) the United States will continue to seek fur-
22 ther allied contributions to this mission (including
23 radars, sensors, interceptors, and financial support),
24 in addition to European commitments regarding

1 NATO's Active Layered Theater Ballistic Missile
2 Defense (ALTBMD); and

3 (4) broad allied burden and risk sharing for the
4 NATO territorial missile defense mission will be crit-
5 ical to its long-term viability and success.

6 (d) SMART DEFENSE.—It is the policy of the United
7 States—

8 (1) to seek defense efficiencies where possible to
9 ensure that the NATO alliance is effective and effi-
10 cient, including elements of greater specialization,
11 prioritization, and cooperation (pooling and sharing);
12 and

13 (2) to nonetheless press NATO allies to reduce
14 the defense gap with the United States by equipping
15 themselves with capabilities that are deemed to be
16 critical, deployable, and sustainable, to meet the
17 agreed upon benchmark of spending at least 2 per-
18 cent of Gross Domestic Product (GDP) on defense,
19 and to demonstrate political determination to
20 achieve these goals.

21 **SEC. 4. SENSE OF CONGRESS.**

22 It is the sense of Congress that, at the Chicago Sum-
23 mit of the North Atlantic Treaty Organization in May
24 2012, the President should lead NATO efforts—

1 (1) to ensure that enlargement remains a pri-
2 ority;

3 (2) to grant or provide a clear roadmap for the
4 granting of a NATO Membership Action Plan (or
5 other equivalent plan) to Georgia and Bosnia and
6 Herzegovina; and

7 (3) to invite, or provide a clear roadmap for in-
8 viting, the Republic of Macedonia and Montenegro
9 to join NATO.

10 **SEC. 5. DESIGNATION OF BOSNIA AND HERZEGOVINA AND**
11 **MONTENEGRO AS ELIGIBLE TO RECEIVE AS-**
12 **SISTANCE UNDER THE NATO PARTICIPATION**
13 **ACT OF 1994.**

14 (a) BOSNIA AND HERZEGOVINA.—

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

22 (2) ASSISTANCE TO PLACE IMMOVABLE DE-
23 FENSE PROPERTY UNDER MINISTRY OF DEFENSE
24 JURISDICTION.—Assistance provided pursuant to
25 paragraph (1) shall in part be directed towards en-

1 couraging and assisting the Government of Bosnia
2 and Herzegovina in its efforts to place all immovable
3 defense property under the jurisdiction of the Min-
4 istry of Defense in order to fulfill the requirements
5 to join the NATO Membership Action Plan.

6 (b) MONTENEGRO.—Montenegro is designated as eli-
7 gible to receive assistance under the program established
8 under section 203(a) of the NATO Participation Act of
9 1994, and shall be deemed to have been so designated pur-
10 suant to section 203(d)(1) of such Act.

11 **SEC. 6. AUTHORIZATION OF SECURITY ASSISTANCE TO**
12 **BOSNIA AND HERZOGOVINA AND MONTE-**
13 **NEGRO UNDER THE NATO PARTICIPATION**
14 **ACT OF 1994.**

15 Of the amounts made available for fiscal year 2012
16 under section 23 of the Arms Export Control Act (22
17 U.S.C. 2763), such sums as may be necessary are author-
18 ized to be appropriated for assistance to Bosnia and
19 Herzegovina and Montenegro.

20 **SEC. 7. REAUTHORIZATION OF SECURITY ASSISTANCE FOR**
21 **COUNTRIES PREVIOUSLY DESIGNATED AS EL-**
22 **IGIBLE TO RECEIVE ASSISTANCE UNDER THE**
23 **NATO PARTICIPATION ACT OF 1994.**

24 Of the amounts made available for fiscal year 2012
25 under section 23 of the Arms Export Control Act (22

1 U.S.C. 2763) such sums as may be necessary are author-
 2 ized to be appropriated for assistance to Georgia, the Re-
 3 public of Macedonia, and Ukraine.

4 **SEC. 8. REAUTHORIZATION OF PROGRAMS TO FACILITATE**
 5 **TRANSITION TO NATO MEMBERSHIP.**

6 Section 203 of the NATO Participation Act (Public
 7 Law 103–447; 22 U.S.C. 1928 note) is amended—

8 (1) in subsection (a)—

9 (A) by striking “The President may estab-
 10 lish a program” and inserting the following:
 11 “The President—

12 “(1) may establish a program”; and

13 (B) by striking “pursuant to subsection
 14 (d).” and inserting the following: “pursuant to
 15 subsection (d); and

16 “(2) shall establish and regularly update bilat-
 17 eral programs to assist Bosnia and Herzegovina
 18 Georgia, the Republic of Macedonia, and Monte-
 19 negro to achieve full NATO membership.”;

20 (2) in subsection (b)—

21 (A) in paragraph (2), by striking “; and”
 22 and inserting a semicolon;

23 (B) in paragraph (3), by striking the pe-
 24 riod at the end and inserting a semicolon; and

1 (C) by adding at the end the following new
2 paragraphs:

3 “(4) bilateral exchanges of military officers;

4 “(5) joint assessments of defense needs upon
5 the request of any country designated under sub-
6 section (d), including with respect to the objectives
7 under section 1242 of the National Defense Author-
8 ization Act for Fiscal Year 2012 (Public Law 112–
9 81); and

10 “(6) sales of defense articles and services nec-
11 essary to maintain sufficient territorial self-defense
12 capabilities in accordance with every nation’s right
13 to self-defense under Article 51 of the Charter of the
14 United Nations.”;

15 (3) in subsection (c)—

16 (A) by striking paragraph (5);

17 (B) by redesignating paragraphs (2), (3),
18 (4), (6), and (7) as paragraphs (3), (4), (6),
19 (9), and (11), respectively;

20 (C) by inserting after paragraph (1) the
21 following new paragraph:

22 “(2) The transfer of nonlethal excess defense
23 articles under section 516 of the Foreign Assistance
24 Act of 1961 (22 U.S.C. 2321j), without regard to
25 the restriction in subsection (a) of such section (re-

1 lating to the justification of the foreign military fi-
2 nancing program for the fiscal year in which a
3 transfer is authorized).”;

4 (D) by inserting after paragraph (4), as
5 redesignated by subparagraph (B), the fol-
6 lowing new paragraph:

7 “(5) Approval of commercial export sales under
8 the Arms Export Control Act.”;

9 (E) by inserting after paragraph (6), as re-
10 designated by subparagraph (B), the following
11 new paragraphs:

12 “(7) Nonproliferation, Anti-Terrorism,
13 Demining, and Related Programs assistance.

14 “(8) Assistance under section 481 of the For-
15 eign Assistance Act of 1961 (22 U.S.C. 2291; relat-
16 ing to international narcotics control and law en-
17 forcement).”; and

18 (F) by inserting after paragraph (9), as re-
19 designated by subparagraph (B), the following
20 new paragraph:

21 “(10) Military assistance under section 1206 of
22 the National Defense Authorization Act for Fiscal
23 Year 2006 (Public Law 109–163; 119 Stat. 2456).”;
24 and

1 (4) by inserting at the end the following new
2 subsection:

3 “(h) UKRAINE.—The programs established under
4 subsection (a) shall not inhibit security cooperation in
5 terms of interoperability, training, reform, joint exercises,
6 and bilateral exchanges with nations previously designated
7 as eligible to receive security assistance under this Act but
8 no longer expressing a national intent to join the NATO
9 Alliance.”.

10 **SEC. 9. PRIORITY DELIVERY OF EXCESS DEFENSE ARTI-**
11 **CLES.**

12 Notwithstanding any other provision of law, the pro-
13 vision and delivery of excess defense articles to Bosnia and
14 Herzegovina, Georgia, the Republic of Macedonia, and
15 Montenegro under the authority of paragraphs (1) and (2)
16 of section 203(c) of the NATO Participation Act of 1994
17 (Public Law 103–447; 22 U.S.C. 1928 note), as amended
18 by section 8, and section 516 of the Foreign Assistance
19 Act of 1961 (22 U.S.C. 2321j) shall be given priority to
20 the maximum extent practicable.

21 **SEC. 10. REPORT REQUIRED.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of the enactment of this Act, the Secretary of State
24 shall provide to the Committee on Foreign Relations and
25 the Committee on Armed Services of the Senate and the

1 Committee on Foreign Affairs and the Committee on
2 Armed Services of the House of Representatives a report
3 on NATO accession.

4 (b) CONTENT.—The report required under subsection
5 (a) shall include the following elements:

6 (1) A description of all assistance provided
7 under the programs established under section 203(a)
8 of the NATO Participation Act of 1994 (Public Law
9 103–447; 22 U.S.C. 1928 note), as amended by sec-
10 tion 7, or otherwise provided by the United States
11 Government to facilitate the transition to full NATO
12 membership of Bosnia and Herzegovina, Georgia,
13 the Republic of Macedonia, Montenegro, and other
14 countries designated pursuant to section 203(d) of
15 the NATO Participation Act of 1994 (Public Law
16 103–447; 22 U.S.C. 1928 note).

17 (2) A description of United States diplomatic
18 efforts currently underway or anticipated to facili-
19 tate an agreement between the Republic of Mac-
20 edonia and Greece concerning the dispute over the
21 official name of the Republic of Macedonia, taking
22 into consideration the December 5, 2011, judgment
23 by the International Court of Justice concerning the
24 dispute.

1 (3) A description of additional national steps, if
2 any, that must be undertaken by Bosnia and
3 Herzegovina, Georgia, the Republic of Macedonia,
4 and Montenegro in terms of reform, doctrine, and
5 readiness in order to meet the qualifications nec-
6 essary to achieve accession to NATO.

7 (4) A description of United States efforts to up-
8 hold the sovereignty and territorial integrity of Geor-
9 gia.

10 (5) A description of all current and projected fi-
11 nancial and technical contributions by NATO allies
12 to the NATO territorial missile defense mission, in-
13 cluding all national assets that have been or will be
14 dedicated to the NATO missile defense mission.

15 (c) FORM.—The report shall be submitted in unclas-
16 sified format and may be supplemented by a classified
17 annex.

○