

October 2, 1996, together with a Protocol to the Convention (Treaty Doc. 105-8), subject to the declarations of subsection (a), and the proviso of subsection (b).

(a) DECLARATIONS.—The Senate's advice and consent is subject to the following two declarations, which shall be binding on the President:

(1) REAL ESTATE INVESTMENT TRUSTS.—The United States shall use its best efforts to negotiate with the Swiss Confederation a protocol amending the Convention to provide for the application of subparagraph (b) of paragraph 2 of Article 10 of the Convention to dividends paid by a Real Estate Investment Trust in cases where (i) the beneficial owner of the dividends beneficially holds an interest of 5 percent or less in each class of the stock of the Real Estate Investment Trust and the dividends are paid with respect to a class of stock of the Real Estate Investment Trust that is publicly traded or (ii) the beneficial owner of the dividends beneficially holds an interest of 10 percent or less in the Real Estate Investment Trust and the Real Estate Investment Trust is diversified.

(2) TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISOR.—The resolution of ratification is subject to the following proviso, which shall be binding on the President:

(1) SUPREMACY OF THE CONSTITUTION.—Nothing in the Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

Treaty Doc. 105-9 Tax Convention With South Africa (Exec. Rept. 105-11)

TEXT OF THE COMMITTEE RECOMMENDED
RESOLUTION OF ADVICE AND CONSENT

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Convention between the United States of America and the Republic of South Africa for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital Gains, signed at Cape Town February 17, 1997 (Treaty Doc. 105-9), subject to the declaration of subsection (a), and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

(1) TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISOR.—The resolution of ratification is subject to the following proviso, which shall be binding on the President:

(1) SUPREMACY OF THE CONSTITUTION.—Nothing in the Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

Treaty Doc. 105-29 Protocol Amending Tax Convention With Canada (Exec. Rept. 105-12)

TEXT OF THE COMMITTEE RECOMMENDED
RESOLUTION OF ADVICE AND CONSENT

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Protocol Amending the Convention Between the United States of America and Canada with Respect to Taxes on Income and on Capital Signed at Washington on September 26, 1980 as Amended by the Protocols Signed on June 14, 1983, March 28, 1984 and March 17, 1995, signed at Ottawa on July 29, 1997 (Treaty Doc. 105-29) subject to the declaration of subsection (a), and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

(1) TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISOR.—The resolution of ratification is subject to the following proviso, which shall be binding on the President:

(1) SUPREMACY OF THE CONSTITUTION.—Nothing in the Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

Treaty Doc. 105-31 Tax Convention With Ireland (Exec. Rept. 105-13).

TEXT OF THE COMMITTEE RECOMMENDED
RESOLUTION OF ADVICE AND CONSENT

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Convention between the Government of the United States of America and the Government of Ireland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital Gains, signed at Dublin on July 28, 1997, together with a Protocol and exchange of notes done on the same date (Treaty Doc. 105-31), subject to the understanding of subsection (a), the declarations of subsection (b), and the proviso of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification, and shall be binding on the President:

(1) EXCHANGE OF INFORMATION.—The United States competent authority follows a practice of comity with respect to exchanges of information under all tax conventions.

(b) DECLARATIONS.—The Senate's advice and consent is subject to the following two declarations, which shall be binding on the President:

(1) REAL ESTATE INVESTMENT TRUSTS.—The United States shall use its best efforts to negotiate with the Government of Ireland a protocol amending the Convention to provide for the application of subparagraph (b) of paragraph 2 of Article 10 of the Convention to dividends paid by a Real Estate Investment Trust in cases where (i) the beneficial owner of the dividends beneficially holds an interest of 5 percent or less in each class of the stock of the Real Estate Investment Trust and the dividends are paid with respect to a class of stock of the Real Estate Investment Trust that is publicly traded or (ii) the beneficial owner of the dividends beneficially holds an interest of 10 percent or less in the Real Estate Investment Trust and the Real Estate Investment Trust is diversified.

(2) TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISOR.—The resolution of ratification is subject to the following proviso, which shall be binding on the President:

(1) SUPREMACY OF THE CONSTITUTION.—Nothing in the Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BROWNBACK (for himself, Mr. SMITH of Oregon, Mr. LUGAR, Mr. HAGEL, Mr. MCCAIN, Mr. HELMS, and Mr. BYRD):

S. 1344. A bill to amend the Foreign Assistance Act of 1961 to target assistance to support the economic and political independence of the countries of South Caucasus and Central Asia; to the Committee on Foreign Relations.

By Mr. ROCKEFELLER (for himself and Ms. COLLINS):

S. 1345. A bill to amend titles XVIII and XIX of the Social Security Act to expand and clarify the requirements regarding advance directives in order to ensure that an individual's health care decisions are complied with, and for other purposes; to the Committee on Finance.

By Mr. TORRICELLI (for himself and Mr. LAUTENBERG):

S. 1346. A bill to amend title 18, United States Code, to increase the penalties for certain offenses in which the victim is a child; to the Committee on the Judiciary.

By Mr. GLENN:

S. 1347. A bill to permit the city of Cleveland, Ohio, to convey certain lands that the United States conveyed to the city; to the Committee on Commerce, Science, and Transportation.

By Mr. LIEBERMAN (for himself, Mr. DASCHLE, Mr. MOYNIHAN, and Mr. KERREY):

S. 1348. A bill to provide for innovative strategies for achieving superior environmental performance, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 1349. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRINCE NOVA, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEAHY (for himself and Mr. JEFFORDS):

S. 1350. A bill to amend section 332 of the Communications Act of 1934 to preserve State and local authority to regulate the placement, construction, and modification of certain telecommunications facilities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BURNS:

S. 1351. A bill to amend the Sikes Act to establish a mechanism by which outdoor recreation programs on military installations will be accessible to disabled veterans, military dependents with disabilities, and other persons with disabilities; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAMS (for himself and Mr. SMITH of Oregon):

S. Con. Res. 58. A concurrent resolution expressing the sense of Congress over Russia's newly passed religion law; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BROWNBACK (for himself, Mr. SMITH of Oregon, Mr. LUGAR, Mr. HAGEL, Mr. MCCAIN, Mr. HELMS, and Mr. BYRD):

S. 1344. A bill to amend the Foreign Assistance Act of 1961 to target assistance to support the economic and political independence of the countries of South Caucasus and Central Asia; to the Committee on Foreign Relations.

THE SILK ROAD STRATEGY ACT OF 1997

Mr. BROWNBACK. Mr. President, I am introducing the Silk Road Strategy Act of 1997. This is an overarching policy between the countries of the South Caucasus and Central Asia, which includes the countries of Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan. Those are not common names to most Americans, but the area of the world that they are around, the Caspian Sea, I think, is going to become far more common knowledge to many Americans, as there is 4 trillion dollars worth of known oil and gas in the region.

The region is reaching out to us. They are seeking to put off the Russian imperialism that has been in the region for years and seeking to get away from Iranian influence in the area.

Thus, we are putting forward this Silk Road strategy as an active and positive role in reviving the economies of this region of the world and to building them as major forces.

I think the United States has a vital political, social and economic interest in the region, and we need to act now rather than later. I don't think our window of opportunity in working with these countries as they seek freedom and yearn to be free and build opportunity for their people is long. Probably within the next 3 years, they are going to be making courses and decisions that will decide the long-term fate of the people of this region.

They seek to be united with the United States. I ask, overall, that my colleagues look at this potential opportunity, at this bill and support the Silk Road Strategy Act of 1997. It is a key interest area for us and our future.

This bill is aimed at focusing the attention of U.S. policy on the need to play an active and positive role in reviving the economies of these parts of the ancient Silk Road which was once the economic lifeline of Central Asia and the South Caucasus and the main transportation corridor to Europe and the West.

The United States has vital political, social, and economic interests there and they need to be acted on now, before it is too late. These countries are at an historic crossroad: They are independent for the first time in almost a century, located at the juncture of many of today's major world forces and they are all rich in natural resources. They are emerging from almost a century of plunder by a Communist regime which, while it actively drained their resources, put little back. They now find themselves free to govern themselves, and they are looking west.

The very fact that they have little experience of independence and that their economies are essentially starting from scratch, leaves them in a precarious situation, which is all the more precarious because of their geographic location: consider this: They are placed between the Empire from which they recently declared independence and an extremist Islamic regime to the south—both of which have a strong interest in exerting economic and political pressure upon them.

These countries are very important to us:

They are a major force in containing the spread northward of anti-western Iranian extremism. Though Iranian activity in the region has been less blatant than elsewhere in the world, they are working very hard to bring the region into their sphere of influence and economic control.

The Caspian Sea basin contains proven oil and gas reserves which, potentially, could rank third in the world after the Middle East and Russia and exceed \$4 trillion in value. Investment in this region could ultimately reduce United States dependence on oil imports from the volatile Persian Gulf and could provide regional supplies as an alternative to Iranian sources.

Strong market economies near Russia and China can only help to positively influence these two countries on their rocky path toward freedom.

Finally, this region offers us a historic opportunity to spread freedom and democratic ideals. After years of fighting communism in this region, the doors are open to promote institutions of democratic government and to create the conditions for the growth of pluralistic societies, including religious tolerance.

The single best way to consolidate our goals in the region is to promote regional cooperation and policies which will strengthen the sovereignty of each nation. Each of these countries has its own individual needs; however, many of the problems in the region overlap and are shared, and a number

of common solutions and approaches can apply. This bill encourages this goal.

All of the Silk Road countries are currently seeking U.S. investment and encouragement, and they are looking to us to assist them in working out regional political, economic and strategic cooperation. This bill authorizes assistance in all these areas.

Given the correct infrastructure development, this region is and will continue to become, a key transit point that will ultimately link Central Asia with the West—as it did in the time when caravans traveled along these same routes in the Middle Ages.

Opportunities to assist this infrastructure development abound—taking advantage of these opportunities could not only cement political ties, but commercial and economic ones as well.

The United States should do everything possible to promote this sovereignty and independence, as well as encourage solid diplomatic and economic cooperation between these nations.

In order to do this we need to take a number of positive steps: We should be strong and active in helping to resolve local conflicts; we should be providing economic assistance to provide positive incentives for international private investments and increased trade; we should be assisting in the development of infrastructure necessary for communities, transportation, and energy and trade on an East-West axis; we should be providing security assistance to help fight the scourge of narcotics trafficking, the spread of weapons of mass destruction and the spread of organized crime; and—perhaps the most important of all—we should be supplying all the assistance possible to strengthen democracy, tolerance and the development of civil society. These are the best ways to insure these countries remain independent and strong and that they move toward open and free government.

Mr. President, the time to focus and act in this region is now. We have the opportunity to help these countries rebuild from the ground up and to encourage them to continue their strong independent stances, especially in relation to Iran and the spread of extremist, anti-Western fundamentalism, which is one of the most clear and present dangers facing the United States today. I hope my colleagues will join me and support his bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1344

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Silk Road Strategy Act of 1997".

SEC. 2. FINDINGS.

Congress makes the following findings: