

99TH CONGRESS
1ST SESSION

S. J. RES. 129

To promote internal reconciliation within Nicaragua, on the basis of democratic principles, in furtherance of a peaceful resolution of the conflict in Central America.

IN THE SENATE OF THE UNITED STATES

APRIL 30 (legislative day, APRIL 15), 1985

Mr. NUNN (for himself, Mr. JOHNSTON, Mr. BENTSEN, and Mr. BOREN) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

JOINT RESOLUTION

To promote internal reconciliation within Nicaragua, on the basis of democratic principles, in furtherance of a peaceful resolution of the conflict in Central America.

Whereas the Organization of American States on June 23, 1979, called for the installation of a democratic government in Nicaragua; and

Whereas the Sandinista government of Nicaragua committed itself to a system of democracy, justice, and social progress in a program transmitted to the Secretary General of the Organization of American States on July 12, 1979, and reaffirmed that commitment by subscribing to the Contadora Document of Objectives of September 9, 1983, which calls for respect for human rights, democratic systems of govern-

ment and national reconciliation, as integral aspects of a peaceful solution to the conflict in Central America; and

Whereas the Sandinista government of Nicaragua, in disregard of these commitments, has embarked upon policies of alignment with the Soviet Union and Cuba, support for the subversion of the governments of neighboring countries, a massive military buildup and the suppression of human rights and denial of effective opportunities for popular participation in the decisionmaking process; and

Whereas these policies, which threaten the stability of the region, have led to deep divisions within Nicaragua society, including armed resistance to the Sandinista government; and

Whereas the Nicaraguan bishops on April 22, 1984, called for a dialog among all Nicaraguans, and reiterated that call on March 22, 1985, in expressing their willingness to mediate in such a dialog; and

Whereas a broadly based group of democratic resistance leaders on March 1, 1985, proposed a dialog with the Sandinista government under the mediation of the Nicaraguan Bishops Conference and offered a cease-fire; and

Whereas the President has expressed his intention to reopen bilateral talks with the Government of Nicaragua; and

Whereas the United States is one of the largest trading partners of Nicaragua; and

Whereas Congress believes that the United States should undertake a full faith effort to use economic and diplomatic pressure on the Sandinistas and that military solutions should be considered only as a last resort: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the prohibitions, conditions, and limitations contained in
4 section 8066 of the Department of Defense Appropriations
5 Act, 1985 (Public Law 98-473), and in section 801 of the
6 Intelligence Authorization Act for fiscal year 1985 (Public
7 Law 98-618) shall cease to apply upon enactment of this
8 joint resolution, subject to the provisions of section 2.

9 SEC. 2. The \$14,000,000 made available by the enact-
10 ment of this joint resolution may be obligated only for hu-
11 manitarian assistance. The President shall provide for inde-
12 pendent monitoring of the use of such funds by the National
13 Security Council. Nothing herein shall be deemed to impair
14 in any way the oversight powers of the Congress.

15 SEC. 3. Be it further resolved that the President of the
16 United States is urged—

17 (a) to vigorously pursue the use of diplomatic and
18 economic steps to resolve the conflict in Nicaragua, in-
19 cluding negotiations to—

20 (1) implement the Contadora Document of
21 Objectives of September 8, 1983, and, at the
22 same time,

23 (2) develop trade and economic measures in
24 close consultation and cooperation with other na-
25 tions which will encourage the Government of

1 Nicaragua to take the necessary step to resolve
2 the conflict, including—

3 (i) a total boycott and embargo of
4 United States trade with Nicaragua;

5 (ii) a call upon the Organization of
6 American States or the other states of Cen-
7 tral America, or both, to institute a total
8 trade boycott and embargo of Nicaragua;

9 (iii) a call upon the other countries of
10 the free world not to trade with Nicaragua;

11 (b) to suspend military maneuvers in Honduras
12 and off Nicaragua's coast if the Government of Nicara-
13 gua agrees to a cease-fire, to open a dialog with the
14 democratic resistance, and to suspend the state of
15 emergency;

16 (c) to call upon the democratic resistance in Nica-
17 ragua to remove from their ranks any individuals who
18 have engaged in serious human rights abuses;

19 (d) to resume bilateral discussions with Govern-
20 ment of Nicaragua with a view of encouraging—

21 (1) a church-mediated dialog between the
22 Government of Nicaragua and the democratic re-
23 sistance, in support of internal reconciliation as
24 called for by the Contadora Document of Objec-
25 tives; and

1 (2) a comprehensive, verifiable agreement
2 among the nations of Central America, based on
3 the Contadora Document of Objectives.

4 SEC. 4. The President shall submit a report to the Con-
5 gress every ninety days on any activity carried out under this
6 resolution. Such report shall include a report on the progress
7 of efforts to reach a negotiated settlement as set forth in sec-
8 tion 3, a detailed accounting of the disbursement of humani-
9 tarian assistance, and steps taken by the democratic resist-
10 ance as described in section 3(c).

11 SEC. 5. As used in this resolution, the term "humanitar-
12 ian assistance" means the provision of food, clothing, medi-
13 cine, and other humanitarian assistance. It does not include
14 any weapons, weapons systems, ammunition, or any other
15 equipment or material which can be used to inflict serious
16 bodily harm or death.

17 SEC. 6. At any point after the enactment of this reso-
18 lution, if the President determines that negotiations based
19 on the Contadora principles of September 9, 1983, have
20 failed to produce an agreement, or if other trade and eco-
21 nomic measures have failed to resolve the conflict, the
22 President may request the Congress to authorize additional
23 assistance for the democratic resistance, in such amount and
24 of such a nature as he deems appropriate. The President's
25 request shall include a detailed statement as to why the ne-

1 gotiations or other measures have failed to resolve the con-
2 flict in the region.

3 SEC. 7. (a) A joint resolution which is introduced
4 within three calendar days after the Congress receives a
5 Presidential request described in section 6 and which, if en-
6 acted, would grant the President the authority to take any
7 or all of the actions described in section 6 shall be consid-
8 ered in accordance with procedures contained in section
9 8066 of Public Law 98-473: *Provided, however, That—*

10 (i) references in that section to the Committee on
11 Appropriations of each House shall be deemed to be
12 references to the appropriate committee or committees
13 of each House; and

14 (ii) amendments to the joint resolution are in
15 order.

16 (b) This section is enacted by Congress as an exercise of
17 the rulemaking power of the Senate and House of Represent-
18 atives, respectively, and as such it is deemed a part of the
19 rules of each House, respectively, but applicable only with
20 respect to the procedure to be followed in that House in the
21 case of a resolution described in subsection (a), and it super-
22 sedes other rules only to the extent that it is inconsistent
23 with such rules.

24 (c) With full recognition of the constitutional right of
25 either House to change the rules (so far as related to the

- 1 procedure of the House) at any time, in the same manner and
- 2 to the same extent as in the case of any other rule of that
- 3 House.

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