



GENERAL COUNSEL

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1600 DEFENSE PENTAGON  
WASHINGTON, D. C. 20301-1600

JUL 23 2001

The Honorable Richard B. Cheney  
President of the Senate  
Washington, D.C. 20510

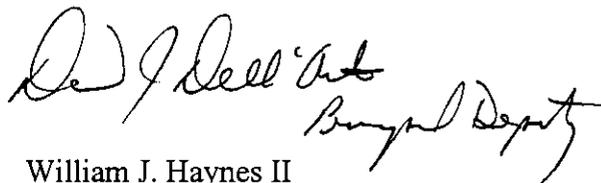
Dear Mr. President:

The Department of Defense proposes the enclosed legislation relating to the provision of support for weapons inspections and monitoring in Iraq and the transfer of certain naval vessels. These proposals are part of the departmental legislative program for the First Session of the 107th Congress and we urge their enactment. The purpose of each proposal is stated more fully in its accompanying sectional analysis.

The Department proposes a technical change so that the successor organization to the United Nations Special Commission on Iraq, the United Nations Monitoring, Verification, and Inspection Commission, can be correctly identified in the law regarding our monitoring activities in Iraq. The provision also would extend for one year the Department's authority to support weapons inspections and monitoring in Iraq. The Department also proposes the authority to transfer 13 vessels to foreign nations. All the naval vessels are either over 3,000 tons or less than 20 years of age.

The Office of Management and Budget advises that there is no objection, from the standpoint of the Administration's program, to the presentation of these initiatives for your consideration and the consideration of the Congress.

Sincerely,

  
for William J. Haynes II  
Principal Deputy

Enclosures  
As Stated





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The Honorable J. Dennis Hastert  
Speaker of the House of Representatives  
Washington, D.C. 20515

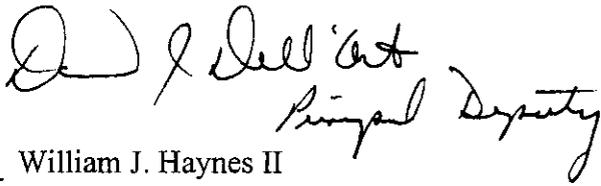
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**SEC. \_\_\_\_ . EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO UNITED  
NATIONS-SPONSORED EFFORTS TO INSPECT AND MONITOR  
IRAQI WEAPONS ACTIVITIES.**

1 (a) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE.--Section 1505(f) of the Weapons  
2 of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) is amended by striking "2001" and  
3 inserting "2002".

4 (b) REFERENCES TO UNITED NATIONS INSPECTION AND MONITORING ACTIVITIES.—(1)  
5 Subsection (b)(2) of Section 1505 is amended by striking "the United Nations Special  
6 Commission on Iraq (or any successor organization)" and inserting "United Nations Monitoring,  
7 Verification and Inspection Commission".

8 (2) Subsection (d)(4)(A) of such section is amended in the first sentence of subparagraph  
9 (A) by striking "United Nations Special Commission on Iraq (or any successor organization)"  
10 and inserting "United Nations Monitoring, Verification and Inspection Commission".

**Sectional Analysis**

The United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) was officially established as the successor organization to the United Nations Special Commission on Iraq (UNSCOM) by United Nations Security Council Resolution (UNSCR) 1284, passed 17 December 1999. Since this resolution was passed after the enactment of Public Law 106-65, 22 U.S.C. 5859a can now be amended to reflect the current UN organization, UNMOVIC.

This proposed revision to 22 U.S.C. 5859a will recognize UNMOVIC as UNSCOM's successor, and will also extend the Department of Defense's authority to continue to provide support for weapons inspections and monitoring in Iraq for an additional year.

**SEC. \_\_\_\_ . AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.**

1 (a) TRANSFERS BY GRANT.—The President is authorized to transfer vessels to foreign  
2 countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C.  
3 2321j) as follows:

4 (1) POLAND.—To the Government of Poland the OLIVER HAZARD PERRY  
5 class guided missile frigate WADSWORTH (FFG 9).

6 (2) TURKEY.—To the Government of Turkey the KNOX class frigates  
7 CAPODANNO (FF 1093), THOMAS C. HART (FF 1092), DONALD B. BEARY (FF  
8 1085), MCCANDLESS ( FF 1084), REASONER (FF 1063), and BOWEN (FF 1079).

9 (b) TRANSFERS BY SALE.—The President is authorized to transfer vessels to foreign  
10 countries on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761) as  
11 follows:

12 (1) TURKEY.—To the Government of Turkey the OLIVER HAZARD PERRY  
13 class guided missile frigates ESTOCIN (FFG 15) and SAMUEL ELIOT MORISON  
14 (FFG 13).

15 (2) TAIWAN.—To the Taipei Economic and Cultural Representative Office in the  
16 United States (which is the Taiwan instrumentality designated pursuant to section 10(a)  
17 of the Taiwan Relations Act) the KIDD class guided missile destroyers KIDD (DDG  
18 993), CALLAGHAN (DDG 994), SCOTT (DDG 995), and CHANDLER (DDG 996).

19 (c) ADDITIONAL CONGRESSIONAL NOTIFICATION NOT REQUIRED.—The following  
20 provisions do not apply with respect to transfers authorized by this section:

1 (1) Section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)); and

2 (2) Section 524 of the Foreign Operations, Export Financing, and Related

3 Programs Appropriations Act, 2001 (Public Law 106-429; 114 Stat. 1900A-30) and any

4 similar successor provision.

5 (d) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE

6 ARTICLES.—The value of a vessel transferred to another country on a grant basis under section

7 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) pursuant to authority provided by

8 subsection (a) shall not be counted for the purposes of subsection (g) of that section in the

9 aggregate value of excess defense articles transferred to countries under that section in any fiscal

10 year.

11 (e) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with

12 a transfer authorized by this section shall be charged to the recipient (notwithstanding section

13 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j (e)(1)) in the case of a transfer

14 authorized to be made on a grant basis under subsection (a).

15 (f) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum

16 extent practicable, the President shall require, as a condition of the transfer of a vessel under this

17 section, that the country to which the vessel is transferred have such repair or refurbishment of

18 the vessel as is needed, before the vessel joins the naval forces of that country, performed at a

19 shipyard located in the United States, including a United States Navy shipyard.

20 (g) EXPIRATION OF AUTHORITY.—The authority provided under this section shall expire

21 at the end of the two-year period beginning on the date of the enactment of this Act.

## Sectional Analysis

Section 7307 of title 10, United States Code, requires statutory approval for a disposal (whether by sale, lease, grant, loan, barter, transfer, or otherwise) of naval vessels, in excess of 3,000 tons or less than 20 years of age, to another nation.

**SECTION (a)** provides authority for the President to transfer by grant under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) one naval vessel to Poland and six naval vessels to Turkey.

**SECTION (b)** provides authority for the President to transfer by sale under section 21 of the Arms Export Control Act (22 U.S.C. 2761) two naval vessels to Turkey and four naval vessels to Taiwan.

**SECTION (c)** relieves the Department of Defense of the statutory requirements to provide a separate congressional notification for each of the transfers.

**SECTION (d)** provides that the value of the naval vessels authorized for transfer by grant under this section would not be included in determining the aggregate value of transferred excess defense articles.

**SECTION (e)** provides for the recipient to be charged with any expense incurred by the United States in connection with a transfer by grant.

**SECTION (f)** provides for any necessary repair or refurbishment of the vessels to be transferred to be performed in United States shipyards to the maximum extent practicable.

**SECTION (g)** provides that transfers authorized by this section must be executed within two years of the date of enactment of the Act of which this section is a part. This allows a reasonable opportunity for agreement on terms and for execution of the transfers.