

## S 3847

Security Cooperation Act of 2010

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** International Affairs

**Introduced:** Sep 27, 2010

**Current Status:** Became Public Law No: 111-266.

**Latest Action:** Became Public Law No: 111-266. (Oct 8, 2010)

**Law:** 111-266 (Enacted Oct 8, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/3847>

### Sponsor

**Name:** Sen. Kerry, John F. [D-MA]

**Party:** Democratic • **State:** MA • **Chamber:** Senate

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Lugar, Richard G. [R-IN]	R · IN		Sep 27, 2010

### Committee Activity

*No committee referrals or activity are recorded for this bill.*

### Subjects & Policy Tags

**Policy Area:**

International Affairs

### Related Bills

Bill	Relationship	Last Action
111 S 3581	Related bill	<b>Sep 23, 2010:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 586.

**(This measure has not been amended since it was introduced. The expanded summary of the Senate passed version is repeated here.)**

Security Cooperation Act of 2010 - **Title I: Defense Trade Cooperation Treaties** - Defense Trade Cooperation Treaties Implementation Act of 2010 - (Sec. 102) Amends the Arms Export Control Act (AECA) to exclude from the requirement to conclude a bilateral agreement in order to be exempt from defense export licensing requirements under such Act: (1) Canada; (2) the United Kingdom (UK) upon implementation of, and pursuant to the terms of, the Treaty Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning Defense Trade Cooperation, done at Washington and London on June 21 and 26, 2007 (London Treaty); and (3) Australia upon implementation of, and pursuant to the terms of, the Treaty Between the Government of the United States of America and the Government of Australia Concerning Defense Trade Cooperation, done at Sydney, September 5, 2007 (Sydney Treaty).

Permits the UK and Australia, pursuant to the appropriate Treaty's implementation, to retransfer defense items without prior consent of the President.

Exempts from the scope of such Treaties specified: (1) rocket systems or unmanned aerial vehicle systems and associated production facilities, software, or technology; (2) individual rocket stages, reentry vehicles and equipment, and associated production facilities, software, and technology; (3) defense articles and defense services for use in rocket systems, including associated production facilities, software, or technology; (4) toxicological agents, biological agents, and associated equipment; (5) nuclear weapons-related defense articles and defense services along with associated defense articles and technology; (6) with regard to the London Treaty, U.S.-controlled defense articles and services; and (7) with regard to the Sydney Treaty, defense articles for which Australian laws would prevent Australian enforcement of control measures specified in the Treaty.

(Sec. 103) Subjects a person who violates a Treaty or any implementing or enforcing rule or regulation to criminal penalties under the AECA.

Includes defense article or defense service enforcement actions pursuant to a Treaty within the scope of the President's civil enforcement authority.

Prohibits suppliers of defense articles or services exported pursuant to a Treaty from making incentive payments to satisfy part or all of an offset agreement with the UK and Australia.

(Sec. 104) Requires the President to notify Congress in advance of approving a defense article or service transfer pursuant to a Treaty if such transfer meets the same monetary thresholds that apply to other such transfers.

Includes specified Treaty transfers within the scope of existing: (1) antidiscrimination provisions; (2) annual estimate of sales provisions; (3) fee and political contribution provisions; and (4) export and technical assistance or manufacturing license congressional notification provisions.

(Sec. 105) Prohibits an amendment (other than an administrative or technical amendment) to an implementing arrangement concluded pursuant to a Treaty from entering into effect for the United States unless Congress adopts and enacts legislation approving such amendment's entry into effect for the United States.

Specifies amendments that such prohibition shall apply to.

Requires the President to notify Congress 15 days prior to the entry into effect of any technical or administrative amendment to one of the implementing arrangements.

(Sec. 106) Authorizes the President to issue regulations to implement and enforce the Treaties.

(Sec. 107) States that nothing in this Act, the Treaties, or in any regulation issued to implement either Treaty shall be construed to modify or supersede any provision of law or regulation other than the AECA, as amended by this Act, and the International Traffic in Arms Regulations.

**Title II: Authority to Transfer Naval Vessels** - Naval Vessel Transfer Act of 2010 - (Sec. 202) Authorizes the President to transfer on a grant basis to: (1) India, the OSPREY class minehunter coastal ships CORMORANT and KINGFISHER; (2) Greece, the OSPREY class minehunter coastal ships OSPREY, BLACKHAWK, and SHRIKE; (3) Chile, the NEWPORT class amphibious tank landing ship TUSCALOOSA; and (4) Morocco, the NEWPORT class amphibious tank landing ship BOULDER.

Authorizes the President to transfer on a sale basis to Taiwan through the Taipei Economic and Cultural Representative Office of the United States the OSPREY class minehunter coastal ship ROBIN.

States that: (1) the value of such vessels transferred on a grant basis shall not be counted against the aggregate value of excess defense articles transferred to countries in any fiscal year under the Foreign Assistance Act of 1961; (2) transfer costs shall be charged to the recipient; and (3) to the maximum extent practicable, the country to which a vessel is transferred shall have necessary vessel repair and refurbishment carried out at U.S. shipyards (including U.S. Navy shipyards).

Terminates transfer authority two years after enactment of this Act.

**Title III: Other Matters** - (Sec. 301) Amends the AECA to revise provisions concerning the congressional export review period for Israel.

(Sec. 302) Amends the Department of Defense Appropriations Act, 2005 to extend the President's authority to transfer to Israel surplus defense items that are stockpiled in Israel and intended for use as Israeli reserve stocks.

Amends the Foreign Assistance Act of 1961 to extend the current \$200 million per fiscal year limit on additions to existing defense stockpiles in foreign countries through FY2012.

## Actions Timeline

---

- **Oct 8, 2010:** Signed by President.
- **Oct 8, 2010:** Became Public Law No: 111-266.
- **Sep 29, 2010:** Presented to President.
- **Sep 28, 2010:** Received in the House.
- **Sep 28, 2010:** Message on Senate action sent to the House.
- **Sep 28, 2010:** Held at the desk.
- **Sep 28, 2010:** Mr. Berman moved to suspend the rules and pass the bill.
- **Sep 28, 2010:** Considered under suspension of the rules. (consideration: CR H7040-7043)
- **Sep 28, 2010:** DEBATE - The House proceeded with forty minutes of debate on S. 3847.
- **Sep 28, 2010:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H7041-7042)
- **Sep 28, 2010:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H7041-7042)
- **Sep 28, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 28, 2010:** Cleared for White House.
- **Sep 27, 2010:** Introduced in Senate
- **Sep 27, 2010:** Passed/agreed to in Senate: Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent.(consideration: CR S7560-7562; text as passed Senate: CR S7560-7562)
- **Sep 27, 2010:** Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. (consideration: CR S7560-7562; text as passed Senate: CR S7560-7562)