

Public Law 103-378
103d Congress

An Act

Oct. 19, 1994

[H.R. 5155]

To authorize the transfer of naval vessels to certain foreign countries.

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

SECTION 1. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) ARGENTINA.—The Secretary of the Navy is authorized to transfer to the Government of Argentina the “NEWPORT” class tank landing ship SCHENECTADY (LST 1185). Such transfer shall be on a lease basis under chapter 6 of the Arms Export Control Act (22 U.S.C. 2796 and following).

(b) CHILE.—The Secretary of the Navy is authorized to transfer to the Government of Chile the “NEWPORT” class tank landing ships NEWPORT (LST 1179) and SAN BERNARDINO (LST 1189). Such transfers shall be on a lease basis under chapter 6 of the Arms Export Control Act (22 U.S.C. 2796 and following).

(c) MALAYSIA.—The Secretary of the Navy is authorized to transfer to the Government of Malaysia the “NEWPORT” class tank landing ship SPARTANBURG COUNTY (LST 1197). Such transfer shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761; relating to the foreign military sales program).

(d) SPAIN.—The Secretary of the Navy is authorized to transfer to the Government of Spain the “NEWPORT” class tank landing ship HARLAN COUNTY (LST 1196). Such transfer shall be on a lease basis under chapter 6 of the Arms Export Control Act (22 U.S.C. 2796 and following).

(e) TAIWAN.—The Secretary of the Navy is authorized to transfer to the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act) the “NEWPORT” class tank landing ships MANITOWOC (LST 1180) and SUMTER (LST 1181). Such transfers shall be on a lease basis under chapter 6 of the Arms Export Control Act (22 U.S.C. 2796 and following).

(f) VENEZUELA.—The Secretary of the Navy is authorized to transfer to the Government of Venezuela the “NEWPORT” class tank landing ships PEORIA (LST 1183) and BARBOUR COUNTY (LST 1195). Such transfers shall be on a lease basis under chapter 6 of the Arms Export Control Act (22 U.S.C. 2796 and following).

SEC. 2. WAIVER OF REQUIREMENTS FOR NOTIFICATION TO CONGRESS.

The following provisions do not apply with respect to the transfers authorized by this Act:

(1) In the case of a sale under section 21 of the Arms Export Control Act, section 525 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Public Law 103-87) and any similar, successor provision.

(2) In the case of a lease under section 61 of the Arms Export Control Act, section 62 of that Act (except that section 62 of that Act shall apply to any renewal of the lease).

SEC. 3. COSTS OF TRANSFERS.

Any expense of the United States in connection with a transfer authorized by this Act shall be charged to the recipient.

SEC. 4. EXPIRATION OF AUTHORITY.

The authority granted by section 1 of this Act shall expire at the end of the 2-year period beginning on the date of the enactment of this Act, except that leases entered into during that period under section 1 may be renewed.

SEC. 5. REPAIR AND REFURBISHMENT OF VESSELS IN THE UNITED STATES.

It is the sense of the Congress that the Secretary of the Navy should request that each country to which a naval vessel is transferred under this Act have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at shipyards located in the United States, including United States Navy shipyards.

SEC. 6. CONDITION FOR TRANSFER.

No vessel may be transferred under this Act until the Secretary of Defense certifies in writing to Congress that, after the transfer—

(1) the amphibious lift capacity remaining available in the Navy is sufficient in all lift categories to transport 2½ Marine Corps expeditionary brigades simultaneously; and

(2) the amphibious lift capacity planned to be available in the Navy under the future-years defense program will be sufficient in all lift categories, throughout the period covered by the future-years defense program, to transport 2½ Marine Corps expeditionary brigades simultaneously.

Approved October 19, 1994.

LEGISLATIVE HISTORY—H.R. 5155:

CONGRESSIONAL RECORD, Vol. 140 (1994):

Oct. 4, 5, considered and passed House.

Oct. 7, considered and passed Senate.