

110TH CONGRESS
2D SESSION

H. R. 5443

To improve defense cooperation between the Republic of Korea and the
United States.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2008

Mr. ROYCE (for himself and Mrs. TAUSCHER) introduced the following bill;
which was referred to the Committee on Foreign Affairs

A BILL

To improve defense cooperation between the Republic of
Korea and the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States-Republic
5 of Korea Defense Cooperation Improvement Act of 2008”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Close and continuing cooperation in defense
9 between the United States and the Republic of

1 Korea continues to be in the national security inter-
2 est of the United States.

3 (2) The Republic of Korea was designated a
4 Major Non-NATO Ally in 1987, the first such des-
5 ignation.

6 (3) The Republic of Korea has been a major
7 purchaser of United States defense articles and serv-
8 ices through the Foreign Military Sales (FMS) pro-
9 gram, totaling \$6,900,000,000 in deliveries over the
10 last 10 years.

11 (4) Purchases of United States defense articles,
12 services, and major defense equipment facilitate and
13 increase the interoperability of Republic of Korea
14 military forces with United States military forces.

15 (5) Congress has previously enacted important,
16 special defense cooperation arrangements for the Re-
17 public of Korea, as in the Act entitled “An Act to
18 authorize the transfer of items in the War Reserves
19 Stockpile for Allies, Korea”, approved December 30,
20 2005 (Public Law 109–159), which authorized the
21 President, notwithstanding section 514 of the For-
22 eign Assistance Act of 1961 (22 U.S.C. 2321h), to
23 transfer to the Republic of Korea certain defense
24 items to be included in a war reserve stockpile for
25 that country.

1 (6) Such actions by Congress and sales to the
2 Republic of Korea enhance defense ties with that
3 country and ensure favorable consideration by the
4 Government of the Republic of Korea when it con-
5 siders acquisitions of certain weapons systems.

6 (7) Enhanced support for defense cooperation
7 with the Republic of Korea is important to the na-
8 tional security of the United States, including
9 through creation of a status in law for the Republic
10 of Korea similar to the countries in the North Atlan-
11 tic Treaty Organization, Japan, Australia, and New
12 Zealand, with respect to consideration by Congress
13 of foreign military sales to the Republic of Korea.

14 **SEC. 3. SENSE OF CONGRESS.**

15 It is the sense of Congress that expeditious consider-
16 ation of certifications of letters of offer to sell defense arti-
17 cles, defense services, design and construction services,
18 and major defense equipment to the Republic of Korea
19 under section 36(b) of the Arms Export Control Act (22
20 U.S.C. 2776(b)) is fully consistent with United States se-
21 curity and foreign policy interests and the objectives of
22 world peace and security.

23 **SEC. 4. AMENDMENTS TO ARMS EXPORT CONTROL ACT.**

24 The Arms Export Control Act (22 U.S.C. 2751 et
25 seq.) is amended—

1 (1) in section 3 (22 U.S.C. 2753)—

2 (A) in subsection (b)(2), by inserting “the
3 Government of the Republic of Korea,” before
4 “the Government of Australia”; and

5 (B) in subsection (d)—

6 (i) in paragraph (2)(B), by inserting
7 “the Republic of Korea,” before “Japan”;

8 (ii) in paragraph (3)(A)(i), by insert-
9 ing “the Republic of Korea,” before “Aus-
10 tralia”; and

11 (iii) in paragraph (5), by inserting
12 “the Republic of Korea,” before “Aus-
13 tralia”;

14 (2) in section 21 (22 U.S.C. 2761)—

15 (A) in subsection (e)(2)(A), by inserting
16 “the Republic of Korea,” before “Japan”; and

17 (B) in subsection (h)—

18 (i) in paragraph (1)(A), by inserting
19 “the Republic of Korea,” before “Aus-
20 tralia”; and

21 (ii) in paragraph (2), by striking “or
22 to any member government of that Organi-
23 zation if that Organization or member gov-
24 ernment” and inserting “, to any member
25 government of that Organization, or to the

1 Governments of the Republic of Korea,
2 Australia, New Zealand, Japan, or Israel if
3 that Organization, member government, or
4 the Governments of the Republic of Korea,
5 Australia, New Zealand, Japan, or Israel”;

6 (3) in section 36 (22 U.S.C. 2776)—

7 (A) in subsection (b)—

8 (i) in paragraph (1), by inserting “the
9 Republic of Korea,” before “Japan”;

10 (ii) in paragraph (2), by inserting
11 “the Republic of Korea,” before “Japan”;

12 and

13 (iii) in paragraph (6), by inserting
14 “the Republic of Korea,” before “Aus-
15 tralia”;

16 (B) in subsection (c), by inserting “the Re-
17 public of Korea,” before “Australia” both
18 places it appears; and

19 (C) in subsection (d)(2)(A), by inserting
20 “the Republic of Korea,” before “Australia”;

21 (4) in section 62(c)(1) (22 U.S.C. 2796a(c)(1)),
22 by inserting “the Republic of Korea,” before “Aus-
23 tralia”; and

1 (5) in section 63(a)(2) (22 U.S.C.
2 2796b(a)(2)), by inserting “the Republic of Korea,”
3 before “Australia”.

4 **SEC. 5. AMENDMENT TO FOREIGN ASSISTANCE ACT OF**
5 **1961.**

6 Section 656(a)(2) of the Foreign Assistance Act of
7 1961 (22 U.S.C. 2416(a)(2)) by inserting “Republic of
8 Korea,” before “Australia”.

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