



DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600



25 SEP 2001

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

Dear Mr. President:

The Department of Defense proposes the enclosed draft bill, "Additional Support for Counterterrorism Activities," as part of its legislative program for the First Session of the 107th Congress and we urge its enactment.

This proposal would create an enhanced authority for the Department of Defense, working with the State Department, to provide counterterrorism training and equipment to foreign nations who are supporting us in the war against terrorism. This legislation provides a mechanism by which the Department can support and enhance international counterterrorism efforts to contribute to global security, and the safety of American citizens wherever they may be. Past efforts to provide counterterrorism training and equipment were hampered by a lack of clear authority. Difficulties in identifying funding authorities to conduct this type of military training have led to needless and unacceptable delays in providing the training, with the by-product of constraints on the types of training and equipment we can furnish or make available to our allies' counterterrorism units. This provision specifies the authority for the training and the type of equipment that may be provided. It further authorizes the Department to fund the small unit counterterrorism training it conducts on behalf of our allies. It will assist in combating terrorist activities by providing an authority to fund the training and equipment for our allies to deal both independently with terrorist threats and with other nations, in concert with the United States, in their war against terrorism. This will enhance global security and the security of United States' interests and the lives of American citizens.

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

Sincerely,

Daniel J. Dell'Orto
Principal Deputy General Counsel

Enclosure
As Stated





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25 SEP 2001

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

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Daniel J. Dell'Orto
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SEC. ____ . ADDITIONAL SUPPORT FOR COUNTER TERRORISM ACTIVITIES.

1 (a) SUPPORT FOR COUNTERTERRORISM ORGANIZATIONS OF COOPERATING FOREIGN
2 COUNTRIES.— During any fiscal year, the Secretary of Defense, with the concurrence of the
3 Secretary of State, may use, from appropriations available to the Department of Defense or from
4 funds provided by a foreign country, such sums as may be necessary to provide, on such terms as
5 the Secretary of Defense may determine, to a counterterrorism organization of a foreign
6 country—

7 (1) training, including training in the maintenance and repair of equipment;

8 (2) equipment of the type set forth in subsection (b); and

9 (3) parts for equipment of the type set forth in subsection (b).

10 (b) EQUIPMENT.—The equipment to which subsection (a) refers is—

11 (1) protective personnel equipment;

12 (2) weapons and ammunition particularly suited to counterterrorism activities;

13 (3) communications equipment and associated cryptographic materials;

14 (4) vehicles and equipment for command, control, and communications;

15 (5) photographic equipment;

16 (6) night vision systems;

17 (7) *communications interception and direction-finding* equipment;

18 (8) sensory equipment; and

19 (9) such other types of equipment as the Secretary of Defense determines are appropriate
20 for use in counter terrorism activities.

21 (C) CONTRACT AND PROVISION AUTHORITIES.—Otherwise applicable laws relating to

1 contracting to obtain or furnish, or relating to export, transfer or other provision of, training,
2 equipment, parts and services shall not apply in the implementation of subsection (a). Chapter
3 18 of title 10, United States Code, is not applicable to the exercise of authority under this section.