

Issue Brief

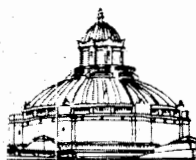
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**PERSIAN GULF AND THE WAR POWERS DEBATE:
ISSUE SUMMARY AND REVIEW OF EVENTS**

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by

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ISSUE SUMMARY AND REVIEW

SUMMARY

U.S. military involvement in the Persian Gulf has prompted a new debate in Congress, and between Congress and the Administration, over the applicability of the War Powers Resolution (P.L. 93-148) to the current engagement of U.S. forces in the area. The U.S. presence has increased dramatically since the Administration's July implementation of the plan to reflag Kuwaiti tankers that were vulnerable in the tanker war between Iran and Iraq. The congressional debate over the applicability of the War Powers Resolution has been triggered by a number of events that have demonstrated the risks entailed in increasing the presence of U.S. ships and sailors in a war zone. The key events include: the Iraqi attack on the USS Stark on May 17, 1987; the commencement of U.S. reflagging on July 22, 1987; the damage to the reflagged Bridgeton from an Iranian mine on July 24, 1987; the U.S. missile firing on an Iranian F-4 on Aug. 10, 1987; the U.S. attack on Sept. 21, 1987, upon an Iranian landing ship discovered while dropping mines in the Gulf, and the Oct. 8, 1987, U.S. sinking of three Iranian patrol boats.

Congress has shown its concerns about the application of the War Powers Resolution in a variety of ways. Legislation has been introduced to require reports about the reflagging plan; to reaffirm the War Powers requirement to report on "imminent hostilities"; to force delays in the reflagging plan; to prohibit funds to be used to implement reflagging agreements; and to trigger executive branch compliance with the War Powers Act. Some Members of Congress have also appealed to the courts to compel War Powers compliance; 115 Members filed suit on Aug. 7, 1987. Other Members have expressed the view that in light of the dangerous situation in the Gulf, their key concern is adequate consultations over policy, with or without the technical invocation of the War Powers Act. Still others support the Reagan Administration's view that the current situation does not warrant invocation of the War Powers Act, which they view as an infringement on the President's power as Commander in Chief.

This issue brief tracks chronologically the events in the Gulf with particular reference to major U.S. policy statements and actions relevant to the War Powers Resolution. It can be used in conjunction with CRS Issue Brief 81050, War Powers Resolution: Presidential Compliance, which looks at the history of the act since it was adopted in 1973 and recurring issues relating to it; and with Issue Brief 87145, The Persian Gulf and the U.S. Naval Presence: Issues for Congress. Issue Brief 87145 examines the issues of U.S. military policy in the Gulf, and its goals, objectives, and costs.

ISSUE DEFINITION

The current situation in the Persian Gulf -- hostilities between Iran and Iraq in close proximity to the increasing U.S. military presence -- has prompted many in Congress to consider the applicability of the War Powers resolution (P.L. 93-148). Key questions are: Are recent events, including the Iraqi attack on the USS Stark or the U.S. attack on an Iranian ship dropping mines into the Gulf, sufficient to trigger the "imminent hostilities" provision of Section 4(a)(1)? Has there been adequate consultation between Congress and the President on U.S. policy in the Gulf? What legislative actions has Congress taken relating to War Powers and the current Gulf situation?

BACKGROUND AND ANALYSIS

Congressional concern over the linkage between the current situation and the War Powers resolution can be tracked in different ways. The chronology section notes major developments in: (1) hostile acts in the Gulf affecting U.S. ships and sailors (the "imminent hostilities" issue); (2) consultations between Congress and the executive, such as hearings, special meetings, and correspondence; (3) executive branch responses to congressional concerns, including through legislatively mandated reports; (4) court actions initiated by Congress to compel compliance with War Powers; (5) pertinent legislative activity; and (6) major statements and actions by U.S. allies that may have bearing on U.S. policy in the area.

CHRONOLOGY

- 10/19/87 --- Four U.S. destroyers destroyed an inactive Iranian oil platform used as a base for Iranian speedboat attacks against Gulf ships. The U.S. Navy gave the Iranian occupants of the oil platform 20 minutes to evacuate before shelling the platform, which was some 100 miles south of Lavan Island. The attack was in retaliation for the October 16 Iranian Silkworm attack on a U.S.-flagged tanker off Kuwait.
- 10/16/87 --- An Iranian Silkworm missile fired from Iranian occupied territory on Iraq's Faw peninsula hit the Sea Isle City, a Kuwait-owned, U.S.-flagged oil tanker at anchor about 10 miles off Kuwait's port of Mina al-Ahmadi. Eighteen seamen, including the U.S. captain, were injured.
- 10/15/87 --- An Iranian Silkworm missile, fired from the Iranian occupied Faw peninsula of Iraq, hit the U.S.-owned, Liberian-flagged oil tanker Sungari anchored 9 miles off Kuwait's Mina al-Ahmadi port. There were no casualties, but the ship was heavily damaged from the explosion and 5-hour fire.
- 10/12/87 --- According to the Washington Post, U.S. Navy officials in the Gulf asked permission from the Pentagon to attack Iranian

ships that attacked commercial vessels in the Gulf regardless of flag. Current U.S. policy is to define only U.S.-flagged ships.

- 10/08/87 --- Three U.S. military helicopters fired upon and sank three Iranian gunboats about 15 miles southwest of Farsi Island after the Iranian boats fired at one of the U.S. helicopters. U.S. ships picked up six Iranians, two of whom later died. A fourth Iranian boat escaped.
- 10/06/87 --- Japan announced that it would contribute more to maintaining U.S. forces in Japan, would increase its aid to Jordan and Oman, and would develop a navigation system for ships transiting the Persian Gulf as a way to defray costs of the U.S. and allied escorts in the Persian Gulf. West Germany announced on Oct. 8 that it would send three warships to the Mediterranean Sea to replace allied ships sent to the Persian Gulf to protect Gulf shipping. Both Japan and West Germany are prohibited by their constitutions from sending armed forces outside their countries.
- The Senate amended S. 1394, the foreign relations authorization bill (see H.R. 1777), with a statement that Iran violated international law by mining the waters of the Persian Gulf, that the U.S. use of force to end the Iranian mining was justified, and that international law provided the framework for promoting security and safeguarding U.S. interests in the region. The next day the Senate voted 95-2 to add another amendment recommending that the President devise a plan to share costs of protecting Persian Gulf shipping with U.S. allies. The bill passed the Senate on October 8 by a vote of 85-8.
- 10/05/87 --- NBC reported that the Reagan Administration planned to send U.S. Coast Guard patrol boats and aircraft to the Persian Gulf to assist in protecting U.S. ships around Bahrain and for patrolling coastal waters.
- 10/04/87 --- A U.S. helicopter crashed under the U.S.S. Lasalle, off Bahrain, killing one crew member and injuring three. The Pentagon said the loss of the helicopter was an accident, not related to "hostile activity."
- 10/03/87 --- Iran launched about 60 armed speedboats apparently at the Saudi Arabian offshore oilfield of Khafji, and Saudi Arabia sent jets and warships to intercept them and turn them back. Four U.S. warships, previously escorting a Kuwaiti tanker, also went to the region to confront the Iranian flotilla. No gunfire was exchanged, and most of the Iranian boats returned to the Iranian side of the Gulf by dawn.
- 10/02/87 --- S. 1748, introduced in the Senate, prohibited imports to the United States from Iran. The bill passed the Senate on Oct. 6 by a vote of 93-0.

- 10/01/87 --- The Senate completed action on S. 1174, the Defense authorization bill, without adopting any of the amendments relating to war powers. One key amendment determined that the current situation in the Gulf meets the conditions in section 4(a)(1), required the President to report within 30 days on the objectives, estimated duration and cost of the Gulf operation, and called for a halt to the operation in 2-3 months, unless Congress authorized its continuation. The Senate did add an amendment on September 29 that prohibited importing Iranian products into the United States. A State Department spokesperson said the trade embargo might undermine U.S. efforts to remain neutral and to gain support for the arms embargo against Iran.
- H.R. 3393, introduced in the House, called for a trade embargo against Iran. The bill was reported on October 6.
- H.R. 3391, introduced in the House, prohibited imports to the United States from Iran. The bill was reported on October 5 (H.Rept. 100-345) and passed the House on Oct. 6 by a vote of 407-5.
- The U.S. Maritime Administration announced that it agreed to charter the supertanker Maryland for 2 years to a subsidiary of the Kuwait Oil Tanker Co., the first Kuwaiti chartering of a U.S.-owned tanker with an American crew.
- 09/29/87 --- In an interview on "Good Morning America," Defense Secretary Weinberger said that U.S. military operations "will be required until the Iranians change their behavior...".
- Testifying before the Senate Armed Services Committee, Joint Chiefs of Staff Chairman Adm. William J. Crowe stated that ways to draw down U.S. forces in the region "to a more reasonable level" were under examination. But he asserted that withdrawal of all U.S. forces from the Gulf "would be a terrible error and an admission of incapability."
- 09/28/87 --- The tenth convoy of U.S. Navy war ships escorting reflagged Kuwaiti tankers began.
- 09/26/87 --- Omani officials received the 26 Iranian seaman and bodies of three others taken during the U.S. attack on the Iran-Ajr. International Red Cross officials arranged their return to Iran.
- 09/23/87 --- President Reagan transmitted to the Speaker of the House a report on self-defense actions taken by U.S. forces in the international waters of the Persian Gulf on Sept. 21. The President referred to historical differences between Congress and the executive "with respect to the interpretation and constitutionality of certain of the provisions of the War Powers Resolution."

- 09/22/87 --- U.S. Navy SEALs boarded the abandoned Iranian landing craft, Iran-Ajr, and took it in tow. There were ten mines on board the Iran-Ajr. U.S. Navy ships picked up 26 Iranians from life boats in the Gulf waters. The Iranian crewmen were taken to the La Salle, the MIDEASTFOR command ship, and placed under guard. Four of the Iranians were treated for wounds. Three Iranian sailors were killed in the Sept. 21 attack, and two Iranians were missing.
- 09/21/87 --- U.S. helicopters (later identified as U.S. Army Task Force 160) fired at an Iranian ship after their crews saw the Iranian ship dropping mines in the Persian Gulf. The World War II amphibious landing ship, named Iran-Ajr, was about 50 miles northeast of Bahrain in an area used by tankers as an anchorage before they moved into oil loading terminals.
- Four Hunt-class minesweepers joined the other British ships in the Armilla Patrol in the Gulf of Oman, presumably to escort British flag ships into the Persian Gulf as far north as Bahrain. The same day, an Iranian gunboat fired on the Gentle Breeze, a British tanker.
- 09/18/87 --- During debate on the defense authorization bill, S. 1147, the Senate voted (50-41) to table an amendment, which called for applying provisions of the War Powers resolution to the "imminent danger zone" designated by the Secretary of Defense, for hazardous duty pay purposes.
- 09/15/87 --- Eight Italian vessels -- three minesweepers, three frigates, and two support ships -- set sail for the Persian Gulf to protect Italian flag ships. An Iranian speed boat fired on an Italian ship on September 8.
- 09/14/87 --- Belgium announced that it would send two minesweepers and a supply ship on a 4-month mission to the Persian Gulf to operate south and east of Qatar under British protection.
- 09/07/87 --- The Netherlands Defense Ministry announced that two Dutch minesweepers would leave for the Persian Gulf next week to join the British in protecting shipping in the Gulf.
- 09/04/87 --- Iran fired two Silkworm missiles from the Faw peninsula toward Kuwait. One missile hit an uninhabited beach area 2 miles south of an oil loading terminal, and the other landed in the sea. Another Silkworm landed in the water on September 2.
- 08/30/87 --- Iraq renewed attacks on Iranian ships sailing along the Iranian coast in the Kharg Island-Larak shuttle. It was the first such Iraqi attack in 45 days.

- 08/27/87 --- U.S. officials said two small minesweepers arrived in the Persian Gulf aboard the USS St. Louis, an amphibious landing craft. According to reports, the St. Louis also carried fast patrol boats used by the Navy SEALs, the special operations unit. Four more small minesweepers were aboard the USS Raleigh in the Arabian Sea en route to the Gulf.
- 08/26/87 --- The Department of Defense announced that it would pay "imminent danger" pay to U.S. military personnel stationed inside the Persian Gulf.
- 08/24/87 --- The USS Kidd fired warning shots across the bow of two dhows (traditional sailing vessels of the Gulf) when they approached too close to the U.S.-escorted convoy entering the Strait of Hormuz on its way out of the Persian Gulf. The dhows turned away after the shots. Later, an Iranian warship approached the convoy but was deterred by the frigate Jarrett and helicopters from the Guadalcanal.
- 08/21/87 --- Saudi Arabia, according to "diplomatic sources," agreed to allow some landing and refueling rights to U.S. aircraft involved in the Persian Gulf escort operations.
- 08/19/87 --- The third U.S.-escorted convoy left the Gulf of Oman bound for Kuwait.
- 08/18/87 --- The Miami Herald reported that the United States had ten ships in the Persian Gulf and another 17 outside the Gulf in the nearby waters. There are 13 French ships, nine British ships, and seven Soviet ships in the same area, the Herald reported. U.S. ships in the Gulf were the cruisers Fox, Reeves, and Worden, the destroyer Kidd, frigates Crommelin, Flatley, Jarrett, and Klakring, the helicopter carrier Guadalcanal, and the command ship La Salle. Outside the Gulf were the carrier Constellation, a cruiser, a destroyer, two frigates, an ammunition ship, and a supply ship, and en route were the battleship Missouri, a cruiser, a destroyer, a frigate, and two supply ships. Three amphibious assault ships were also in the area.
- 08/14/87 --- The helicopter carrier Guadalcanal, carrying Sea Stallion anti-mine helicopters, arrived in the Persian Gulf.
- 08/12/87 --- A Saudi frogman was killed and another injured when a mine they were attempting to defuse exploded. The mine was found 180 miles northwest of Ras Tanurah, the main Saudi oil terminal on the Persian Gulf.
- 08/11/87 --- The United Kingdom announced that it would send four Hunt-class minesweepers to the Persian Gulf. Observers attributed the change in British policy to the discovery of mines in the Gulf of Oman, outside the Persian Gulf. Britain has two frigates and a destroyer in the Armilla Patrol that operates in the Gulf of Oman and "accompanies" British-

flagged ships into the Persian Gulf. France announced it would send two minesweepers to the area to join the three French frigates outside the Gulf.

08/10/87 --- The Texaco Caribbean, under charter to a U.S. company, hit a mine outside the Persian Gulf near Fujayrah. It was the first instance of mines outside the Persian Gulf. Over the next few days, several more mines were found around Fujayrah, an anchorage used by many ships waiting to enter the Strait of Hormuz.

--- Citing Pentagon sources, the Washington Post reported that four fast speedboats of the Navy SEALs, the unconventional warfare specialists, and four surveillance and attack helicopters of a U.S. Army special forces unit had been dispatched to the Gulf. The Post also reported that the Navy was arming Seasprite anti-submarine warfare helicopters for protection against terrorist attacks on U.S. ships in the Gulf, and that AE-6B Prowler aircraft from the carrier Constellation had been equipped with HARM anti-radar missiles, and with equipment to jam radar used by the Silkworm missiles.

--- Administration sources announced that a F-14 aircraft from the U.S. carrier Constellation fired two Sparrow air-to-air missiles at an Iranian F-4 that "was perceived to be threatening" a U.S. P-3 surveillance aircraft. The missiles missed the target.

08/09/87 --- Secretary of Defense Weinberger said on "Face the Nation" that mines cleared near Kuwait's harbor were Iranian. Previously, U.S. officials would not say definitely that Iran was responsible for placing mines in the Gulf.

08/08/87 --- The U.S. frigates Jarrett and Crommelin and the destroyer Kidd left Khur Fakkan outside the Strait of Hormuz with the reflagged tankers Sea Isle City, Ocean City, and Gas King en route to Kuwait. Apparently, the second U.S. convoy to enter the Persian Gulf surprised some Pentagon officials who expected the ships to wait for the Guadalcanal and its mine sweeping helicopters. The convoy reached Kuwait on August 11.

08/07/87 --- 115 Members of Congress (four Senators and 111 House Members) filed suit in the U.S. District Court of the District of Columbia to invoke the War Powers Act. The suit claimed the three U.S. warships entering the Gulf on July 22, 1987, constituted the introduction of U.S. Armed Forces into hostilities, and asked the Court to declare that a report was required under Section 4(a)(1) of the War Powers Act. The lawsuit asked the Court to order the President to file a Section 4(a)(1) report, or, as an alternative, to cancel the documentation of the reflagged Kuwaiti tankers on the grounds that the Department of Transportation acted illegally in allowing the reflagging.

- 08/05/87 --- The Iranian Revolutionary Guards commander announced that Iran would launch its first submarine during the "Martyrdom" naval exercises that began on August 4. From later reports, it appeared the submarine was a two-man submersible vehicle of a type used by scuba divers.
- 08/04/87 --- The USS Raleigh left Charleston, SC, bound for the Persian Gulf. According to Pentagon sources, the Raleigh, with its 300-man crew, was carrying four small minesweepers and several high-speed patrol boats usually manned by Navy SEALs (Sea-Air-Land), the Navy special operations group.
- National Security Advisor Frank Carlucci arrived in Paris on a tour of major allied capitals to discuss allied minesweeping support for the U.S. Persian Gulf escort operation.
- Soviet First Deputy Foreign Minister Yuli Vorontsov ended a 3-day visit to Teheran. The two countries expressed their mutual concern over the U.S. military forces in the Persian Gulf, Tass said.
- 08/01/87 --- The Gas Prince, one of four reflagged liquid petroleum gas carriers, left Kuwait with the U.S. destroyer Kidd and U.S. frigate Crommelin as escorts. Gas Prince had entered the Persian Gulf on July 22 with the Bridgeton and three escorts.
- 07/31/87 --- A demonstration, led by Iranians, turned into a riot at the annual Islamic pilgrimage (Haj) to Mecca in Saudi Arabia. 402 people died, 275 of whom were Iranians, and over 600 were wounded in the riot. Saudi authorities blamed Iran for instigating the riot. Iranian officials called for the overthrow of the Saudi regime, contending it was unfit to rule the Islamic holy places at Mecca and Medina.
- The United Kingdom rejected a U.S. request to send British minesweepers to the Persian Gulf.
- 07/30/87 --- A U.S. Navy SH-3G Sea King helicopter carrying cargo and passengers crashed into the Gulf while trying to land on the command ship La Salle. Five men were rescued, but four died in the accident.
- 07/29/87 --- Defense Secretary Weinberger ordered eight U.S. Navy minesweeping helicopters to the Persian Gulf. The RH-53D Sea Stallions would be loaded aboard C-5 cargo planes and flown from Norfolk to Diego Garcia, where the aircraft and their 250 flight and maintenance crew members will be loaded aboard the USS Guadalcanal, a Marine Amphibious Unit helicopter carrier.

- H.R. 3039, introduced in the House, called for the withdrawal of U.S. forces from the Persian Gulf and the revocation of reflagging documentation for the Kuwaiti tankers. Hearings were held on the bill on August 6.
- 07/28/87** --- H.Con.Res. 168, introduced in the House, stated that it was the sense of the Congress that the United Nations flag be placed on ships operating in the Persian Gulf and that U.N. peacekeeping vessels escort ships through the Gulf. A similar resolution, S.Con.Res. 66, was introduced in the Senate.
- 07/24/87** --- The Bridgeton, one of the reflagged Kuwaiti tankers being escorted into the Persian Gulf, hit a mine about 20 miles west of the Iranian island of Farsi.
- S. 1546, introduced in the Senate, called for the termination of any reflagging of Kuwaiti vessels in 6 months unless the President certified to the Congress that reflagging was in U.S. interests, and unless the Congress approved a joint resolution authorizing the reflagging.
- 07/22/87** --- Three U.S. Navy vessels entered the Persian Gulf escorting two reflagged Kuwaiti tankers, the Bridgeton and the Gas Prince.
- 07/21/87** --- The Senate passed by voice vote an amendment expressing the sense of the Senate that the President should pursue alternatives to the reflagging of Kuwaiti vessels.
- 07/20/87** --- The U.N. Security Council passed unanimously Resolution 598 (1987) calling for a cease-fire in the Iran-Iraq war and calling for further meetings if the two states did not comply with the resolution. Most observers believed the next steps would be an arms embargo against the belligerents.
- 07/15/87** --- The Senate voted 82-16 to approve an amendment to S. 1420, Omnibus Trade and Competitiveness Act allowing the President to impose a total trade embargo against Iran if it uses Silkworm missiles or attacks U.S.vessels, personnel, or facilities in the Gulf region.
- 07/09/87** --- The Senate failed to muster the 60 votes needed to end a threatened filibuster on an amendment to the trade bill that would have forced a 90-day delay in reflagging the 11 Kuwaiti tankers.
- 07/08/87** --- The House passed amendment no. 326 to H.R. 2342, the Coast Guard authorization, by a vote of 222-184 to prohibit the Kuwaiti reflagging for 90 days or until Sept. 30, 1987, whichever occurs first. The House did not adopt an amendment to stop reflagging unless the Soviet Union reflagged ships. The House passed H.R. 2342 on July 8, and the Senate passed the bill on October 13.

- 07/05/87 --- White House Chief of Staff Howard Baker was quoted as saying the United States might reduce the number of U.S. warships in the Persian Gulf if the Soviet Union withdrew its warships from the Gulf. The next day, White House and State Department officials said Mr. Baker had been misinterpreted. The officials said the United States would not withdraw completely from the Gulf and would reduce its presence only when the Gulf became safe for commercial shipping.
- 07/02/87 --- U.S. envoy Vernon Walters began conversations with Soviet officials seeking support for a U.S. initiative to end the Iraq-Iran war.
- 06/30/87 --- After a meeting between the President and congressional leaders, the White House press spokesman read a statement that the Administration was going ahead with reflagging the 11 Kuwaiti tankers. The spokesman said the preparations would be completed by mid-July.
- 06/23/87 --- H.Con.Res. 145, introduced in the House, stated that Congress supported the President's actions to protect the flow of commercial traffic through the Gulf and to take necessary actions to protect U.S. Armed Forces in the Gulf, and that it should be U.S. policy to support a cease-fire and a negotiated settlement of the Iran-Iraq war.
- 06/22/87 --- The Washington Post reported that the United States turned down a Liberian request for protection of Liberian flag ships operating in the Persian Gulf. According to the Post, about 80 Liberian flag tankers are owned by U.S. companies. Reportedly, the United States received similar requests for escort through the Persian Gulf from Panama and the Bahamas.
- State Department spokeswoman Phyllis Oakley said the United States and Saudi Arabia had agreed in principle to Saudi AWACS planes flying surveillance over the southern part of the Persian Gulf. The Saudi AWACS planes would be protected by Saudi F-15 fighters. The southern orbit would be flown only when U.S. ships were escorting tankers through the area.
- 06/17/87 --- Senators Glenn and Warner reported to the Majority Leader on their trip to the Persian Gulf (S.Rept. 100-38).
- 06/15/87 --- President Reagan said in a speech reporting on the results of the Venice summit that the U.S. failure to reflag Kuwaiti tankers would "abdicate our role as a naval power" and "open opportunities for the Soviet Union" to move into the Persian Gulf.
- Secretary of Defense Weinberger submitted a report to Congress on security arrangements in the Gulf.

- 06/11/87 --- H.Res. 194, introduced in the House, urged the President to seek a U.N. Security Council meeting to establish a U.N. peacekeeping force to protect shipping in the Persian Gulf, and urged NATO members to support the formation of the U.N. peacekeeping force.
- H.R. 2680, introduced in the House, called for payment of "hazardous duty" pay for U.S. Armed Forces personnel operating in the Persian Gulf.
- 06/10/87 --- H.Con.Res. 137, introduced in the House, urged European and Japanese allies to join with the United States in finding a resolution of the Iran-Iraq war and in protecting our mutual interests.
- H.R. 2651, introduced in the House, would, if passed and signed by the President, forbid reflagging ships from Persian Gulf countries.
- H.R. 2635, introduced in the House, prohibited reflagging unless the Soviet Union reflagged Kuwaiti tankers, and urged the President to seek a U.N. Security Council meeting to establish a U.N. peacekeeping force to protect shipping in the Gulf. An amendment similar to H.R. 2635 was offered to H.R. 3242, the Coast Guard authorization bill, but the amendment failed to pass on July 8, 1987.
- H.J.Res. 310, introduced in the House, declared that the use of U.S. Armed Forces to protect Persian Gulf shipping would trigger Section 4(a)(1) of the War Powers Act.
- H.R. 2645, introduced in the House, called for the approval of the Secretary of Defense and the Secretary of State prior to reflagging any ships under U.S. registry.
- 06/09/87 --- S. 1343, introduced in the Senate, stated that Section 4(a) of the War Powers Act would become operational when U.S. Armed Forces escorted any reflagged ships through the Persian Gulf. The Senate Foreign Relations Committee reported the bill on July 10 (S.Rept. 100-106).
- 06/05/87 --- Iranian parliament Speaker Rafsanjani said Iran will attack any Arab port or base that hosts any U.S. armed forces.
- 06/04/87 --- The Journal of Commerce reported that ownership of the 11 Kuwaiti tankers had been transferred to the Chesapeake Shipping Company of Delaware. Under U.S. law, vessels must have U.S. owners to be registered as U.S. ships flying the U.S. flag. Apparently, all the stock in Chesapeake will be owned by the Kuwait Oil Tanker Company, which is a subsidiary of the Kuwait Petroleum Company (the state-owned company that controls Kuwait's oil industry).

- S. 1327, introduced in the Senate, prohibited reflagging Persian Gulf ships, and urged the President to seek a U.N. peacekeeping force to protect non-belligerent shipping in the Gulf. The Senate Foreign Relations Committee held hearings on the bill on June 17, and held mark-up sessions on June 25 and June 30. The Committee reported the bill on July 7.
- 06/02/87 --- Secretary of State Shultz, speaking to international journalists via satellite, said the allies, particularly Japan, should share the responsibilities of protecting Gulf shipping because they are more dependent upon Persian Gulf oil than the United States.
- H.R. 2579, introduced in the House, would, if enacted into law, impose an import surcharge on items imported from countries benefiting from U.S. protection of Persian Gulf shipping, the proceeds to be used to defray the cost of U.S. Armed Forces in the Gulf.
- H.R. 2571, introduced in the House, provided that Congress would have to pass legislation approving the reflagging of specific vessels.
- 06/01/87 --- Soviet Foreign Ministry official Alexander Ivanov told the Kuwaiti newspaper al-Ray al-Aam that the Soviet Union would "use all means available under international law" to respond to an attack on Soviet shipping in the Gulf.
- 05/29/87 --- President Reagan said the U.S. presence was vital to freedom of navigation in the Gulf and was essential to preventing the spread of the Iran-Iraq war.
- 05/28/87 --- H.R. 2533, introduced in the House, stated that the Secretary of Defense should submit a report to the Congress within 7 days of an enactment of the bill that included a plan for the security of U.S. forces in the Persian Gulf. H.R. 2533 passed the House by a vote of 302-105 on June 2, and was sent to the Senate on June 3.
- H.J.Res. 295 and H.J.Res. 296, introduced in the House, declared that Section 4(a)(1) of the War Powers Act had been triggered and that the President would have to withdraw U.S. Armed Forces within 60 days unless Congress approved their continued presence.
- 05/27/87 --- At the end of the 2-day NATO Ministers Conference, other NATO members told Secretary Weinberger that they would not join a U.S.-led military mission in the Persian Gulf.
- H.R. 2519, introduced in the House, stated that the Secretary of Defense should submit a report to Congress on security

arrangements for U.S. forces operating in the Persian Gulf prior to reflagging the Kuwaiti tankers.

05/21/87 --- The Senate passed, by a vote of 91 to 5, an amendment to the FY87 Supplemental Appropriations Bill (H.R. 1827) that required the Secretary of Defense to submit a report to Congress describing the plan for U.S. military protection of the reflagged Kuwaiti tankers. The bill went to conference on June 9.

--- Kuwait filed the first application for U.S. registry at the U.S. Coast Guard office in Philadelphia.

05/20/87 --- Secretary of State George Shultz submitted a letter to the Speaker of the House and to Vice President Bush (as the President of the Senate) describing the Stark incident and stating that there was no reason to believe that further hostile action would occur. The Secretary said in the letter that he would keep Congress informed. The letter did not mention the War Powers Resolution.

05/19/87 --- Assistant Secretary of State Murphy appeared in open hearings before the House Foreign Affairs Subcommittee on Europe and the Middle East and appeared in closed session before the Senate Committee on Foreign Relations. On May 21, Murphy briefed the Subcommittee on Europe and the Middle East in closed session.

--- The Administration announced the decision to proceed with the Kuwaiti tanker reflagging.

05/17/87 --- An Iraqi Mirage F1 fired two Exocet missiles at the USS Stark, a frigate assigned to MIDEASTFOR, killing 37 U.S. Navy crewmen and wounding 21. U.S. AWACS planes and the Stark had spotted the Iraqi plane on radar, and the Stark issued warnings, but the Iraqi plane did not respond. The Stark did not use its defenses against the oncoming plane or missiles. Iraq apologized for the incident and said it would pay damages.

--- The Marshall Chuikov, one of the three Soviet tankers leased to Kuwait, struck a mine in the main channel leading to Kuwait's oil ports.

05/14/87 --- The Department of Defense authorized a National Defense Waiver allowing one year for the Kuwaiti ships to comply with U.S. safety regulations.

05/07/87 --- The Soviet freighter Ivan Korotoyev was attacked near Dubai by Iranian Revolutionary Guards in a fast motorboat firing small arms and rocket grenades.

- 05/00/87** --- The first of three Soviet ships under charter to Kuwait began operating in the Persian Gulf, with a Soviet frigate and two minesweepers as escorts.
- 04/22/87** --- The Kuwait Oil Tanker Company and the U.S. Coast Guard began discussions of the technical details involved in reflagging. Inspection of the Kuwaiti ships began May 13, 1987, the same day MIDEASTFOR and KOTC officials met to discuss protection for the reflagged tankers.
- 04/21/87** --- Murphy testified about the reflagging program before the House Foreign Affairs Subcommittee on Europe and the Middle East.
- 04/01/87** --- Kuwait signed an agreement with the Soviet Union to lease three tankers with an option to lease two more tankers if needed. The agreement also said Kuwait could lease its tankers to the Soviet Union, which would operate the Kuwaiti tankers under the Soviet flag.
- 03/30/87** --- Assistant Secretary of State for Near Eastern and South Asia Affairs Richard Murphy appeared in executive session with the House Foreign Affairs Committee to discuss the reflagging issue. Assistant Secretary Murphy appeared in closed session with the Senate Foreign Relations Committee the next day.
- H.J.Res. 216, introduced in the House, stated that it shall be U.S. policy to support a cease-fire and negotiated settlement of the Iran-Iraq war and the establishment of an international tribunal to investigate the origins of the conflict, and that it was the sense of the Congress that the United States should support international sanctions against either country if the country rejected the cease-fire. H.J.Res. 216 passed the House by voice vote on July 13, passed the Senate by a vote of 96-0 on Aug. 7, and was signed by the President on Aug. 18, 1987 (P.L. 100-96).
- 03/23/87** --- A classified briefing on the reflagging issue was given to the staffs of the House and Senate Armed Services Committees.
- 03/19/87** --- The New York Times reported that the United States moved the carrier Kitty Hawk and its task force closer to the Arabian Sea in response to reports that Iran had emplaced Silkworm missiles at two locations along the Strait of Hormuz. The United States then had six ships assigned to MIDEASTFOR inside the Persian Gulf and another 11 ships, including the Kitty Hawk and its task force, in the Arabian Sea region.
- 03/12/87**--- The State Department's legislative affairs office informed staff directors of the House and Senate Subcommittees on Europe and the Middle East of the offer to Kuwait. The State Department briefed the staffers on March 19.

- 03/02/87** --- Kuwait requested that six Kuwaiti tankers be reflagged as U.S. ships. On March 17, the United States offered to reflag 11 Kuwaiti tankers. Kuwait accepted the offer on March 10.
- 02/06/87** --- The United States reaffirmed its position that the U.S. Navy will protect all U.S.-flagged ships to the degree possible with available assets. Later in February, the United States learned that the Soviets agreed to reflag and protect five Kuwaiti ships.
- 02/00/87** --- Iran test-fired a "Silkworm" missile at Qeshm Island, near the Strait of Hormuz. The Silkworm is a Chinese variant of the Soviet SS-N-2 Styx coastal defense missile with a 1,100 lb. warhead and a range of 50 nautical miles.
- 01/29/87** --- The U.S. Government replied to the Kuwaiti inquiry of January 13 that Kuwait can reflag ships under U.S. registry if all the requirements are met. The United States reiterated its commitment to keep the Gulf open and restated its position that the GCC states must be the first line of defense in the Gulf.
- 01/13/87** --- The government of Kuwait asked the U.S. Embassy if reflagged Kuwaiti owned ships would be entitled to U.S. Navy protection. The U.S. Government learned Kuwait had a similar offer from Soviets.
- 12/23/86** --- The government-owned Kuwait Oil Tanker Company (KOTC) informed the U.S. Embassy in Kuwait of its interest in reflagging Kuwaiti tankers under U.S. registry. On Dec. 10, KOTC requested reflagging requirements from the U.S. Coast Guard.
- 11/01/86** --- The government of Kuwait raised the issue of dangers to shipping in the Persian Gulf at the summit meeting of the Gulf Cooperation Council. Kuwaiti tankers and tankers of other flags calling at Kuwaiti ports had been targeted by Iranian gunboats since August and September 1986.
- 09/00/86** --- The Soviet Union sent a frigate into the Persian Gulf on prolonged patrol, probably in response to an Iranian boarding and seizure of a Soviet freighter in August 1986. The Soviet freighter was searched and released after one day.

(This chronology was compiled from news coverage in numerous U.S. newspapers and from various congressional documents, including the Congressional Record and committee reports.)

FOR ADDITIONAL READING

U.S. Congress. House. Democratic Study Group. Special report: the Persian Gulf controversy. Washington, U.S. Govt. Print. Off., 1987. 32 p.

Contains chronology.

U.S. Department of Defense. Report on security arrangements in the Persian Gulf. Washington, U.S. Govt. Print. Off., 1987. 30 p.

Contains chronology.

/note

The current situation in the Persian Gulf -- hostilities between Iran and Iraq in close proximity to the increasing U.S. military presence -- has prompted many in Congress to consider the applicability of the War Powers resolution (P.L. 93-148).

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