

AMENDMENT TO RULES COMM. PRINT 119-33
OFFERED BY MR. BAUMGARTNER OF
WASHINGTON

At the end of subtitle B of title XVII, insert the following:

1 **SEC. 17___ . INTERNATIONAL TRAFFIC IN ARMS REGULA-**
2 **TIONS LICENSING REFORM.**

3 (a) LIST OF COUNTRIES AND END-USERS TO RE-
4 CEIVE PRIORITY FOR DIRECT COMMERCIAL SALES.—

5 (1) IN GENERAL.—Not later than 90 days after
6 the date of the enactment of this Act, the Secretary
7 of State shall develop and maintain a list of coun-
8 tries and end-users with respect to which expedited
9 decision-making for applications for licenses for the
10 export of defense articles and defense services is
11 vital to the national security of the United States,
12 consistent with the requirements of the Arms Export
13 Control Act and other applicable provisions of law.

14 (2) SUBMISSION TO CONGRESS.—Not later than
15 30 days after the development of the list required by
16 paragraph (1), and annually thereafter, the Sec-
17 retary of State shall submit to the Committee on
18 Foreign Affairs of the House of Representatives and

1 the Committee on Foreign Relations of the Senate
2 an updated copy of the list.

3 (b) DECISION-MAKING PROCESS FOR APPLICATIONS
4 FOR DIRECT COMMERCIAL SALES.—Not later than 30
5 days after the date on which the Secretary of State pub-
6 lishes the list required by subsection (a), the Secretary,
7 in coordination with the Secretary of Defense, shall ini-
8 tiate a rule-making process to establish an expedited
9 timeline for the decision-making process with respect to
10 applications to export defense articles or defense services
11 under the Arms Export Control Act to countries or end-
12 users identified by such list and a fixed timeline for deci-
13 sions for all other applications for such exports. The
14 timelines so established shall provide that, to the max-
15 imum extent practicable—

16 (1) an application to export defense articles or
17 defense services to a listed country or end-user shall
18 be approved, returned, or denied not later than 45
19 days after the date on which the application is sub-
20 mitted to the Secretary;

21 (2) an application to export defense articles or
22 defense services to any country or end-user shall be
23 approved, returned, or denied not later than 60 days
24 after the date on which the application is submitted
25 to the Secretary; and

1 (3) the deadlines described in subparagraphs
2 (A) and (B) may be suspended with respect to an
3 application if necessary—

4 (A) for applicable time periods specified in
5 subsection (b), (c), or (d) of section 36 of such
6 Act, during which Congress may enact a joint
7 resolution prohibiting the approval of such ap-
8 plication; or

9 (B) for such time as may be required to
10 receive a decision from the Secretary of Defense
11 with respect to an application that is subject to
12 approval by the Department of Defense, includ-
13 ing technology security and foreign disclosure
14 release determinations.

15 (c) REPORTS.—

16 (1) IN GENERAL.—The Secretary of State shall
17 submit to the Committee on Foreign Affairs of the
18 House of Representatives and the Committee on
19 Foreign Relations of the Senate on a semi-annual
20 basis a report, which may be submitted in classified
21 form, that identifies each application to export de-
22 fense articles or defense services during the pre-
23 ceding 180-day period with respect to which the time
24 to reach a decision exceeded the applicable deadline
25 described in subsection (b)(1) or (b)(2).

1 (2) MATTER TO BE INCLUDED.—The report re-
2 quired by this section shall also include the following
3 information with respect to each application so iden-
4 tified:

5 (A) The defense articles or defense services
6 included in the application.

7 (B) The recipient country, end-user, and
8 any corporate entities involved in the applica-
9 tion.

10 (C) Whether the United States has pre-
11 viously exported similar defense articles or de-
12 fense services to the recipient country or end-
13 user.

14 (D) A justification for the delay in reach-
15 ing a decision with respect to the application.

16 (E) The anticipated timeline for reaching a
17 decision with respect to the application, if still
18 pending as of the date of the submission of the
19 report.

