

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 4435  
OFFERED BY MR. ENGEL OF NEW YORK**

At the end of subtitle C of title XII of division A,  
add the following:

1 **SEC. \_\_. REQUIREMENTS RELATING TO CERTAIN DEFENSE**  
2 **TRANSFERS TO THE RUSSIAN FEDERATION.**

3 (a) STATEMENT OF POLICY.—It is the policy of the  
4 United States to oppose the transfer of defense articles  
5 or defense services (as defined in the Arms Export Control  
6 Act) from any country that is a member of the North At-  
7 lantic Treaty Organization (NATO) to, or on behalf of,  
8 the Russian Federation, during any period in which the  
9 Russian Federation forcibly occupies the territory of  
10 Ukraine or of a NATO member country.

11 (b) NATO POLICY.—The President shall use the  
12 voice and vote of the United States in NATO to seek the  
13 adoption of a policy by NATO that is consistent with the  
14 policy of the United States specified in subsection (a).

15 (c) IDENTIFICATION OF CERTAIN DEFENSE TRANS-  
16 FERS.—

17 (1) IN GENERAL.—The President shall direct  
18 the appropriate departments and agencies of the

1 United States to monitor all transfers of defense ar-  
2 ticles or defense services from NATO member coun-  
3 tries to the Russian Federation and identify those  
4 transfers that are contrary to the policy of the  
5 United States specified in subsection (a).

6 (2) REPORT.—

7 (A) IN GENERAL.—The President shall  
8 submit a written report to the chairmen and  
9 ranking members of the appropriate committees  
10 of Congress within 5 days of the receipt of in-  
11 formation indicating that a transfer described  
12 in paragraph (1) has occurred.

13 (B) FORM.—The report required under  
14 subparagraph (A) may be submitted in classi-  
15 fied form.

16 (C) APPROPRIATE COMMITTEES OF CON-  
17 GRESS DEFINED.—In this paragraph, the term  
18 “appropriate committees of Congress” means—

19 (i) the Committee on Armed Services,  
20 the Committee on Foreign Relations, and  
21 the Select Committee on Intelligence of the  
22 Senate; and

23 (ii) the Committee on Armed Services,  
24 the Committee on Foreign Affairs, and the

1                   Permanent Select Committee on Intel-  
2                   ligence of the House of Representatives..

3           (d) LICENSING POLICY FOR CERTAIN DEFENSE  
4 TRANSFERS.—

5           (1) IN GENERAL.—If a NATO member country  
6           transfers, or allows a transfer by a person subject to  
7           its national jurisdiction of, a defense article or de-  
8           fense service on or after the date of the enactment  
9           of this Act that is contrary to the policy of the  
10          United States specified in subsection (a) and is iden-  
11          tified pursuant to subsection (c), an application for  
12          a license or other authorization required under the  
13          Arms Export Control Act for the transfer of any de-  
14          fense article or service to, or on behalf of, that  
15          NATO member country shall be subject to a pre-  
16          sumption of denial.

17          (2) EFFECTIVE PERIOD.—A presumption of de-  
18          nial shall apply to an application for a license or  
19          other authorization under paragraph (1) only during  
20          a period in which the Russian Federation forcibly  
21          occupies the territory of Ukraine or of a NATO  
22          member country.

23          (3) AMENDMENT TO ITAR.—Not later than 30  
24          days after the date of the enactment of this Act, the  
25          Secretary of State shall amend the International

- 1 Trafficking in Arms Regulations for purposes of im-
- 2 plementing this subsection.

