

AMENDMENT TO RULES COMM. PRINT 116–19
OFFERED BY MR. ENGEL OF NEW YORK

At the end of subtitle G of title XII, add the following:

1 **SEC. __. RESTRICTION ON EMERGENCY AUTHORITY RELAT-**
2 **ING TO ARMS SALES UNDER THE ARMS EX-**
3 **PORT CONTROL ACT.**

4 Section 36 of the Arms Export Control Act (22
5 U.S.C. 2776) is amended by adding at the end the fol-
6 lowing:

7 “(j) RESTRICTION ON EMERGENCY AUTHORITY RE-
8 LATING TO ARMS SALES UNDER THIS ACT.—A deter-
9 mination of the President that an emergency exists which
10 requires a proposed transfer of defense articles or defense
11 services to be in the national security interest of the
12 United States, thus waiving the congressional review re-
13 quirements pursuant to section 3(d)(2) or subsection
14 (b)(1), (c)(2), or (d)(2) of this section—

15 “(1) shall apply only if—

16 “(A) the President—

17 “(i) consults with the Committee on
18 Foreign Affairs of the House of Represent-
19 atives and the Committee on Foreign Rela-

1 tions of the Senate regarding the deter-
2 mination that an emergency exists not
3 later than three days after the date on
4 which the President issues the determina-
5 tion; and

6 “ (ii) includes in the certification to be
7 submitted to Congress with respect to the
8 emergency—

9 “ (I) a determination and jus-
10 tification for each individual letter of
11 offer, license, or approval for the de-
12 fense articles or defense services; and

13 “ (II) a specific and detailed de-
14 scription of how such waiver of the
15 congressional review requirements di-
16 rectly responds to or addresses the
17 circumstances of the emergency;

18 “ (B) the delivery of the defense articles or
19 defense services will take place not later than
20 90 days after the date on which the President
21 issues the determination; and

22 “ (C) the President submits the Committee
23 on Foreign Affairs of the House of Representa-
24 tives and the Committee on Foreign Relations
25 of the Senate a report on the defense articles

1 or defense services that were delivered, includ-
2 ing the type of defense articles or defense serv-
3 ices, not later than 30 days after the date of
4 delivery; and

5 “(2) shall not apply in the case of a license or
6 other authorization that includes manufacturing or
7 co-production of the articles or services outside the
8 United States if such manufacturing or co-produce-
9 tion has not been previously licensed or authorized.”.

