

AMENDMENT TO RULES COMM. PRINT 119-33
OFFERED BY MR. ISSA OF CALIFORNIA

At the end of subtitle B of title XVII of division A,
add the following:

1 **SEC. 17 . INITIAL LICENSE REVIEW.**

2 (a) IN GENERAL.—Section 1756 of the Export Con-
3 trol Reform Act of 2018 (50 U.S.C. 4815) is amended
4 by adding at the end the following:

5 “(f) INITIAL LICENSE REVIEW.—

6 “(1) IN GENERAL.—In reviewing an application
7 for a license or other authorization for the export,
8 reexport, or in-country transfer of items controlled
9 under this part, the Under Secretary for Industry
10 and Security (Under Secretary) shall consider
11 whether the requested license or other authorization,
12 if issued, would be the initial license or other author-
13 ization for the export, reexport, or in-country trans-
14 fer of such item to an ultimate consignee or end
15 user.

16 “(2) TREATMENT OF SUBSEQUENT LICENSE
17 APPLICATIONS.—After issuing an initial license or
18 other authorization for the export, reexport, or in-
19 country transfer of an item described in paragraph

1 (1), the Under Secretary should attempt to admin-
2 ister in a timely manner any subsequent application
3 by other applicants for a license or other authoriza-
4 tion for the same or a similar item to the same ulti-
5 mate consignee or end user as the initial license.

6 “(3) REPORT TO CONGRESS.—No later than
7 one year after the date of the enactment of this sub-
8 section, and annually thereafter, the Under Sec-
9 retary shall submit to the appropriate congressional
10 committees a report that details—

11 “(A) the number of initial licenses granted,
12 if any, in the previous calendar year for which
13 there were other applications submitted to ex-
14 port, re-export, or in-country transfer the same
15 or a similar item to the same ultimate con-
16 signee or end-user;

17 “(B) the details of the initial licenses
18 granted, if any, for which there were other ap-
19 plications submitted for a license to export, re-
20 export, or in-country transfer the same or a
21 similar item to the same ultimate consignee or
22 end-user, and the details and outcome of such
23 other submitted applications; and

24 “(C) the reason for creating an initial li-
25 cense to export, re-export, or in-country trans-

1 fer of the item or a similar item to the ultimate
2 consignee or end-user when there were other
3 applications for the submitted for a license to
4 export, re-export, or in-country transfer a same
5 or similar item to the same ultimate consignee
6 or end-user.

7 “(4) RULE OF CONSTRUCTION.—Nothing in
8 this Act shall be construed to require the Under Sec-
9 retary to delay a licensing decision or administer a
10 licensing decision that is contrary to the national se-
11 curity or foreign policy interests of the United
12 States.

13 “(5) DEFINITIONS.—In this subsection:

14 “(A) APPROPRIATE CONGRESSIONAL COM-
15 MITTEES.—The term ‘appropriate congressional
16 committees’ means the Committee on Foreign
17 Affairs of the House of Representatives and the
18 Committee on Banking, Housing, and Urban
19 Affairs of the Senate.

20 “(B) UNDER SECRETARY.—The term
21 ‘Under Secretary’ means the Under Secretary
22 for Industry and Security, acting in consulta-
23 tion with the Secretary of State, the Secretary
24 of Defense, and the Secretary of Energy, or
25 their designees.”.

1 (b) REPORT.—Not later than 90 days after the date
2 of the enactment of this Act, the Under Secretary for In-
3 dustry and Security shall submit to Congress a report on
4 how the Under Secretary is implementing subsection
5 (f)(2) of section 1756 of the Export Control Reform Act
6 of 2018, as added by subsection (a), including detailing
7 any changes to licensing policy or licensing officer oper-
8 ating protocols implemented pursuant to implementation
9 of such subsection.

