

**AMENDMENT TO RULES COMM. PRINT 118-10**  
**OFFERED BY MR. McCAUL OF TEXAS**

At the end of subtitle C of title XVIII, add the following:

1 **SEC. \_\_. IMPLEMENTATION OF THE ADVANCED CAPABILI-**  
2 **TIES PILLAR OF THE TRILATERAL SECURITY**  
3 **PARTNERSHIP BETWEEN AUSTRALIA, THE**  
4 **UNITED KINGDOM, AND THE UNITED STATES.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that—

7 (1) the enhanced trilateral security partnership  
8 between Australia, the United Kingdom, and the  
9 United States (in this section referred to as the  
10 “AUKUS partnership”) is intended to positively  
11 contribute to peace and stability in the Indo-Pacific  
12 region through enhanced deterrence;

13 (2) to this end, implementation of the AUKUS  
14 partnership will require a whole-of-government re-  
15 view of processes and procedures for Australia, the  
16 United Kingdom, and the United States to benefit  
17 from such partnership and, in particular, to support  
18 joint development of advanced capabilities;

1           (3) the Department of State plays a pivotal role  
2           in the administration of arms exports and sales pro-  
3           grams under the Foreign Assistance Act of 1961 (22  
4           U.S.C. 2151 et seq.) and the Arms Export Control  
5           Act (22 U.S.C. 2751 et seq.);

6           (4) the Department of State should work in co-  
7           ordination with the Department of Defense and  
8           other relevant United States Government agencies to  
9           seek to expeditiously implement the AUKUS part-  
10          nership; and

11          (5) the Department of State, in coordination  
12          with the Department of Defense, should clearly com-  
13          municate any United States requirements to address  
14          matters related to the technology security and export  
15          control measures of Australia and the United King-  
16          dom.

17          (b) REPORT.—

18           (1) IN GENERAL.—Not later than 90 days after  
19           the date of the enactment of this Act, the Secretary  
20           of State, in coordination with the Secretary of De-  
21           fense, shall submit to the appropriate congressional  
22           committees a report on efforts of the Department of  
23           State to implement the advanced capabilities pillar  
24           of the AUKUS partnership.

1           (2) MATTERS TO BE INCLUDED.—The report  
2           required by paragraph (1) shall include the fol-  
3           lowing:

4                   (A) For each of the calendar years 2021  
5                   and 2022—

6                           (i) the average and median times for  
7                           the United States Government to review  
8                           applications for licenses to export defense  
9                           articles or defense services to persons, cor-  
10                           porations, and the governments (including  
11                           agencies and subdivisions of such govern-  
12                           ments, including official missions of such  
13                           governments) of Australia or the United  
14                           Kingdom;

15                           (ii) the average and median times for  
16                           the United States Government to review  
17                           applications from Australia and the United  
18                           Kingdom for foreign military sales begin-  
19                           ning from the date Australia or the United  
20                           Kingdom submitted a letter of request that  
21                           resulted in a letter of acceptance with; and

22                           (iii) the number of applications from  
23                           Australia and the United Kingdom for li-  
24                           censes to export defense articles and de-

1           fense services that were denied or approved  
2           with provisos, listed by year.

3           (B) For each of the fiscal years 2017,  
4           2018, 2019, 2020, 2021, and 2022, the number  
5           of voluntary disclosures resulting in a violation  
6           of the International Traffic in Arms Regula-  
7           tions (ITAR) enumerated under section 40 of  
8           the Arms Export Control Act (22 U.S.C. 2780)  
9           or involving proscribed countries listed in sec-  
10          tion 126.1 of the ITAR, by persons, corpora-  
11          tions, and the governments (including agencies  
12          and subdivisions of such governments, including  
13          official missions of such governments) of Aus-  
14          tralia or the United Kingdom, including infor-  
15          mation with respect to—

16                   (i) any instance of unauthorized ac-  
17                   cess to technical data or defense articles;

18                   (ii) inadequate physical or cyber secu-  
19                   rity;

20                   (iii) retransfers or re-exports without  
21                   authorization; and

22                   (iv) employees of foreign companies  
23                   that are United States persons that pro-  
24                   vide defense services without authorization.

1           (C) The value of any civil penalties as-  
2           sessed from 2017 to 2022 for disclosures or vio-  
3           lations described in subparagraph (B) on  
4           United States applicants that involved foreign  
5           persons, foreign corporations, and foreign gov-  
6           ernments in the United Kingdom or Australia.

7           (D) A list of relevant United States laws,  
8           regulations, and treaties and other international  
9           agreements to which the United States is a  
10          party that govern authorizations to export de-  
11          fense articles or defense services that are re-  
12          quired to implement the AUKUS partnership.

13          (E) An assessment of key recommenda-  
14          tions the United States Government has pro-  
15          vided to the governments of Australia and the  
16          United Kingdom to revise laws, regulations, and  
17          policies of such countries that are required to  
18          implement the AUKUS partnership.

19          (F) An assessment of recommended im-  
20          provements to export control laws and regula-  
21          tions of Australia, the United Kingdom, and the  
22          United States that such countries should make  
23          to implement the AUKUS partnership and to  
24          otherwise meet the requirements of section  
25          38(j)(2) of the Arms Export Control Act (22

1 U.S.C. 2778(j)(2)), and the challenges Aus-  
2 tralia and the United Kingdom have conveyed  
3 in meeting these requirements including with  
4 respect to sensitive defense technology security  
5 controls.

6 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
7 FINED.—In this section, the term “appropriate congres-  
8 sional committees” means—

9 (1) the Committee on Foreign Affairs and the  
10 Committee on Armed Services of the House of Rep-  
11 resentatives; and

12 (2) the Committee on Foreign Relations and  
13 the Committee on Armed Services of the Senate.

