AMENDMENT TO RULES COMM. PRINT 118–10
OFFERED BY MR. GALLAGHER OF WISCONSIN

At the appropriate place in title XIII, insert the following:

SEC. __ . AUKUS COMMERCIAL RAPID EMERGING AND ADVANCED TECHNOLOGIES ENTERPRISE PROGRAM.

(a) In General.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following:

“§2350s. AUKUS Commercial Rapid Emerging and Advanced Technologies Enterprise Program

“(a) Establishment.—Subject to the availability of appropriations, the Secretary of Defense shall establish a program within the Defense Innovation Unit to be known as the ‘AUKUS Commercial Rapid Emerging and Advanced Technologies Enterprise Program’ (in this section referred to as the ‘Program’).

“(b) Head of Program.—The head of the Program shall be the Director of the Defense Innovation Unit of the Department of Defense, in consultation with officials of other Federal organizations, as appropriate.
“(c) RESPONSIBILITIES.—The responsibilities of the Program shall be—

“(1) to develop a joint program between the defense departments of Australia, the United Kingdom, and the United States to rapidly field, prototype, and deliver commercial technologies related to—

“(A) undersea capabilities;
“(B) quantum technologies;
“(C) advanced cyber capabilities;
“(D) artificial intelligence and autonomy technologies;
“(E) hypersonic and counter-hypersonic capabilities;
“(F) electronic warfare capabilities; and
“(G) other capabilities and emerging technologies selected by Australia, the United Kingdom, and the United States in support of advanced capabilities and submarine cooperation under the enhanced security partnership among Australia, the United Kingdom, and the United States;

“(2) to expand United States and international security innovation base through integrated, project- and capability-based joint procurement that leads to
novel concept and solution development for the defense departments of Australia, the United Kingdom, and the United States through dual-use ventures with national security and commercial utility;

“(3) to jointly seek out and source capabilities and technologies, where possible, that are not specifically designed, developed, modified, adapted, or modified for missiles, satellites, or other controlled use listed on the United States Munitions List (established under section 38(a) of the Arms Export Control Act (22 U.S.C. 2778(a));

“(4) to leverage commercially-available technologies to advance near-term jointness between the armed forces of Australia, the United Kingdom, and the United States and to scale commercial-off-the-shelf capabilities through joint investments; and

“(5) to carry out such other activities as the Secretary of Defense, in consultation with the ministries of defense of Australia and the United Kingdom, determines to be relevant to such responsibilities.

“(d) USE OF AUTHORITIES.—In carrying out this section, the Secretary of Defense may use any of the following authorities:
“(1) Section 2350a of this title (relating to cooperative research and development agreements).

“(2) Section 2350b of this title (relating to cooperative projects under Arms Export Control Act).

“(3) Section 2350l of this title (relating to cooperative agreements for reciprocal use of test facilities).

“(4) Such other authorities as the Secretary considers appropriate.

“(e) CONTROL OF KNOWLEDGE AND TECHNICAL DATA.—The Secretary of Defense shall seek to ensure that, with respect to cooperative projects carried out under the Program, the knowledge and technical data produced under such projects shall be controlled by Australia, the United Kingdom, and the United States under the export control laws and regulations of the respective countries and shall not be subject to the jurisdiction or control of the other countries.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2350r the following new item:

“2350s. AUKUS Commercial Rapid Emerging and Advanced Technologies Enterprise Program.”.

(c) IMPLEMENTATION.—
(1) **Transfers from Other DOD Elements.**—The Secretary of Defense may transfer to the AUKUS Commercial Rapid Emerging and Advanced Technologies Enterprise Program established under section 2350s of title 10, United States Code (as added by subsection (a)) (in this section referred to as the “Program”), such personnel, resources, and functions of other organizations and elements of the Department of Defense as the Secretary considers appropriate to carry out such section.

(2) **Plan Required.**—

(A) **In General.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for establishing the Program.

(B) **Elements.**—The plan required under subparagraph (A) shall include the following:

(i) Plans for the funding, integration, and evaluation of the Program, including plans for—

   (I) annual funding requirements and administrative support to execute the Program;
(II) integration and spending plans for the incorporation joint fund-
ing by Australia, the United Kingdom, and the United States into the pro-
gramming, planning, budgeting, and execution process of the Department of Defense for the projects associated with the Program;

(III) integration of the Program with the other programs and initia-
tives within the Department of De-
fense that have missions relating to Australia, United Kingdom, and United States mutual security and in-
ovation and commercial integration associated with advancing joint secu-

(IV) performance indicators by which the Program will be assessed and evaluated.

(ii) A description of any additional au-
thorities the Secretary may require to ef-
fectively carry out the Program.
(iii) Plans for any transfers the Secretary intends to carry out under the Program.