

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

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

1 **SEC. __. AUKUS COMMERCIAL RAPID EMERGING AND AD-**
2 **VANCED TECHNOLOGIES ENTERPRISE PRO-**
3 **GRAM.**

4 (a) IN GENERAL.—Subchapter II of chapter 138 of
5 title 10, United States Code, is amended by adding at the
6 end the following:

7 **“§ 2350s. AUKUS Commercial Rapid Emerging and**
8 **Advanced Technologies Enterprise Pro-**
9 **gram**

10 “(a) ESTABLISHMENT.—Subject to the availability of
11 appropriations, the Secretary of Defense shall establish a
12 program within the Defense Innovation Unit to be known
13 as the ‘AUKUS Commercial Rapid Emerging and Ad-
14 vanced Technologies Enterprise Program’ (in this section
15 referred to as the ‘Program’).

16 “(b) HEAD OF PROGRAM.—The head of the Program
17 shall be the Director of the Defense Innovation Unit of
18 the Department of Defense, in consultation with officials
19 of other Federal organizations, as appropriate.

1 “(c) RESPONSIBILITIES.—The responsibilities of the
2 Program shall be—

3 “(1) to develop a joint program between the de-
4 fense departments of Australia, the United King-
5 dom, and the United States to rapidly field, proto-
6 type, and deliver commercial technologies related
7 to—

8 “(A) undersea capabilities;

9 “(B) quantum technologies;

10 “(C) advanced cyber capabilities;

11 “(D) artificial intelligence and autonomy
12 technologies;

13 “(E) hypersonic and counter-hypersonic
14 capabilities;

15 “(F) electronic warfare capabilities; and

16 “(G) other capabilities and emerging tech-
17 nologies selected by Australia, the United King-
18 dom, and the United States in support of ad-
19 vanced capabilities and submarine cooperation
20 under the enhanced security partnership among
21 Australia, the United Kingdom, and the United
22 States;

23 “(2) to expand United States and international
24 security innovation base through integrated, project-
25 and capability-based joint procurement that leads to

1 novel concept and solution development for the de-
2 fense departments of Australia, the United King-
3 dom, and the United States through dual-use ven-
4 tures with national security and commercial utility;

5 “(3) to jointly seek out and source capabilities
6 and technologies, where possible, that are not spe-
7 cifically designed, developed, modified, adapted, or
8 modified for missiles, satellites, or other controlled
9 use listed on the United States Munitions List (es-
10 tablished under section 38(a) of the Arms Export
11 Control Act (22 U.S.C. 2778(a));

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

17 “(5) to carry out such other activities as the
18 Secretary of Defense, in consultation with the min-
19 istries of defense of Australia and the United King-
20 dom, determines to be relevant to such responsibil-
21 ities.

22 “(d) USE OF AUTHORITIES.—In carrying out this
23 section, the Secretary of Defense may use any of the fol-
24 lowing authorities:

1 “(1) Section 2350a of this title (relating to co-
2 operative research and development agreements).

3 “(2) Section 2350b of this title (relating to co-
4 operative projects under Arms Export Control Act).

5 “(3) Section 2350l of this title (relating to co-
6 operative agreements for reciprocal use of test facili-
7 ties).

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

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

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

 “2350s. AUKUS Commercial Rapid Emerging and Advanced Technologies En-
 terprise Program.”.

23 (c) IMPLEMENTATION.—

1 (1) TRANSFERS FROM OTHER DOD ELE-
2 MENTS.—The Secretary of Defense may transfer to
3 the AUKUS Commercial Rapid Emerging and Ad-
4 vanced Technologies Enterprise Program established
5 under section 2350s of title 10, United States Code
6 (as added by subsection (a)) (in this section referred
7 to as the “Program”), such personnel, resources,
8 and functions of other organizations and elements of
9 the Department of Defense as the Secretary con-
10 siders appropriate to carry out such section.

11 (2) PLAN REQUIRED.—

12 (A) IN GENERAL.—Not later than 120
13 days after the date of the enactment of this
14 Act, the Secretary of Defense shall submit to
15 the congressional defense committees a plan for
16 establishing the Program.

17 (B) ELEMENTS.—The plan required under
18 subparagraph (A) shall include the following:

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

22 (I) annual funding requirements
23 and administrative support to execute
24 the Program;

1 (II) integration and spending
2 plans for the incorporation joint fund-
3 ing by Australia, the United Kingdom,
4 and the United States into the pro-
5 gramming, planning, budgeting, and
6 execution process of the Department
7 of Defense for the projects associated
8 with the Program;

9 (III) integration of the Program
10 with the other programs and initia-
11 tives within the Department of De-
12 fense that have missions relating to
13 Australia, United Kingdom, and
14 United States mutual security and in-
15 novation and commercial integration
16 associated with advancing joint secu-
17 rity efforts;

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

21 (ii) A description of any additional au-
22 thorities the Secretary may require to ef-
23 fectively carry out the Program.

1 (iii) Plans for any transfers the Sec-
2 retary intends to carry out under the Pro-
3 gram.

