

AMENDMENT TO RULES COMMITTEE PRINT 118-

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OFFERED BY MR. GREEN OF TENNESSEE

At the appropriate place in subtitle A of title XVIII of division A, insert the following:

1 **SEC. 18__ . EXEMPTION FROM BILATERAL AGREEMENT**
2 **REQUIREMENTS.**

3 Section 38 of the Arms Export Control Act (22
4 U.S.C. 2778) is amended—

5 (1) in subsection (f)(3), by inserting “or the
6 United Kingdom” after “Canada”; and

7 (2) in subsection (j)(1), by striking subpara-
8 graph (C) and inserting after subparagraph (B) the
9 following new subparagraphs:

10 “(C) EXCEPTION FOR THE UNITED KING-
11 DOM.—The requirement to conclude a bilateral
12 agreement in accordance with subparagraph (A)
13 shall not apply with respect to an exemption for
14 the United Kingdom from the licensing require-
15 ments of this chapter for the export of defense
16 items.

17 “(D) EXCEPTION FOR DEFENSE COOPERA-
18 TION TREATIES.—The requirement to conclude

1 a bilateral agreement in accordance with sub-
2 paragraph (A) shall not apply with respect to
3 an exemption from the licensing requirements
4 of this chapter for the export of defense items
5 to give effect to the Treaty Between the Gov-
6 ernment of the United States of America and
7 the Government of Australia Concerning De-
8 fense Trade Cooperation, done at Sydney Sep-
9 tember 5, 2007 (and any implementing ar-
10 rangement thereto), except that the United
11 States shall exempt from the scope of such
12 treaty—

13 “(i) complete rocket systems (includ-
14 ing ballistic missile systems, space launch
15 vehicles, and sounding rockets) or complete
16 unmanned aerial vehicle systems (including
17 cruise missile systems, target drones, and
18 reconnaissance drones) capable of deliv-
19 ering at least a 500 kilogram payload to a
20 range of 300 kilometers, and associated
21 production facilities, software, or tech-
22 nology for these systems, as defined in the
23 Missile Technology Control Regime Annex
24 Category I, Item 1;

1 “(ii) individual rocket stages, re-entry
2 vehicles and equipment, solid or liquid pro-
3 pellant motors or engines, guidance sets,
4 thrust vector control systems, and associ-
5 ated production facilities, software, and
6 technology, as defined in the Missile Tech-
7 nology Control Regime Annex Category I,
8 Item 2;

9 “(iii) defense articles and defense
10 services listed in the Missile Technology
11 Control Regime Annex Category II that
12 are for use in rocket systems, as that term
13 is used in such Annex, including associated
14 production facilities, software, or tech-
15 nology;

16 “(iv) toxicological agents, biological
17 agents, and associated equipment, as listed
18 in the United States Munitions List (part
19 121.1 of chapter I of title 22, Code of Fed-
20 eral Regulations), Category XIV, subcat-
21 egories (a), (b), (f)(1), (i), (j) as it pertains
22 to (f)(1), (l) as it pertains to (f)(1), and
23 (m) as it pertains to all of the subcat-
24 egories cited in this paragraph;

1 “(v) defense articles and defense serv-
2 ices specific to the design and testing of
3 nuclear weapons which are controlled
4 under United States Munitions List Cat-
5 egory XVI(a) and (b), along with associ-
6 ated defense articles in Category XVI(d)
7 and technology in Category XVI(e); and
8 “(vi) defense articles for which Aus-
9 tralian laws, regulations, or other commit-
10 ments would prevent Australia from en-
11 forcing the control measures specified in
12 such treaty.”.

