AMENDMENT TO RULES COMMITTEE PRINT 118-10

OFFERED BY MR. GREEN OF TENNESSEE

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

SEC. 18. EXEMPTION FROM BILATERAL AGREEMENT REQUIREMENTS.

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

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

(2) in subsection (j)(1), by striking subparagraph (C) and inserting after subparagraph (B) the following new subparagraphs:

“(C) EXCEPTION FOR THE UNITED KINGDOM.—The requirement to conclude a bilateral agreement in accordance with subparagraph (A) shall not apply with respect to an exemption for the United Kingdom from the licensing requirements of this chapter for the export of defense items.

“(D) EXCEPTION FOR DEFENSE COOPERATION TREATIES.—The requirement to conclude
a bilateral agreement in accordance with sub-
paragraph (A) shall not apply with respect to
an exemption from the licensing requirements
of this chapter for the export of defense items
to give effect to the Treaty Between the Gov-
ernment of the United States of America and
the Government of Australia Concerning De-
fense Trade Cooperation, done at Sydney Sep-
tember 5, 2007 (and any implementing ar-
angement thereto), except that the United
States shall exempt from the scope of such
treaty—

“(i) complete rocket systems (includ-
ing ballistic missile systems, space launch
vehicles, and sounding rockets) or complete
unmanned aerial vehicle systems (including
cruise missile systems, target drones, and
reconnaissance drones) capable of deliv-
ering at least a 500 kilogram payload to a
range of 300 kilometers, and associated
production facilities, software, or tech-
nology for these systems, as defined in the
Missile Technology Control Regime Annex
Category I, Item 1;
“(ii) individual rocket stages, re-entry vehicles and equipment, solid or liquid propellant motors or engines, guidance sets, thrust vector control systems, and associated production facilities, software, and technology, as defined in the Missile Technology Control Regime Annex Category I, Item 2;

“(iii) defense articles and defense services listed in the Missile Technology Control Regime Annex Category II that are for use in rocket systems, as that term is used in such Annex, including associated production facilities, software, or technology;

“(iv) toxicological agents, biological agents, and associated equipment, as listed in the United States Munitions List (part 121.1 of chapter I of title 22, Code of Federal Regulations), Category XIV, subcategories (a), (b), (f)(1), (i), (j) as it pertains to (f)(1), (l) as it pertains to (f)(1), and (m) as it pertains to all of the subcategories cited in this paragraph;
“(v) defense articles and defense services specific to the design and testing of nuclear weapons which are controlled under United States Munitions List Category XVI(a) and (b), along with associated defense articles in Category XVI(d) and technology in Category XVI(e); and

“(vi) defense articles for which Australian laws, regulations, or other commitments would prevent Australia from enforcing the control measures specified in such treaty.”.