

107TH CONGRESS
1ST SESSION

H. R. 1898

To amend the Arms Export Control Act to update the export licensing requirements under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2001

Mr. FLAKE introduced the following bill; which was referred to the Committee on International Relations

A BILL

To amend the Arms Export Control Act to update the export licensing requirements under that Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “International Com-
5 merce Enhancement Act”.

6 **SEC. 2. REFERENCES.**

7 Except as otherwise specifically provided in this Act,
8 whenever in this Act an amendment or repeal is expressed
9 as the amendment or repeal of a section or other provision,
10 the reference shall be considered to be made to a section

1 or other provision of the Arms Export Control Act (22
2 U.S.C. 2751 et seq.).

3 **SEC. 3. FOREIGN AND NATIONAL SECURITY POLICY OBJEC-**
4 **TIVES AND RESTRAINTS.**

5 (a) VALUE OF DEFENSE ARTICLES AND SERVICES.—
6 Section 3(d) (22 U.S.C. 2753(d)) is amended in para-
7 graphs (1) and (3)(A)—

8 (1) by striking “\$14,000,000” each place it ap-
9 pears and inserting “\$25,000,000”; and

10 (2) by striking “\$50,000,000” each place it ap-
11 pears and inserting “\$85,000,000”.

12 (b) TRANSFERS WITH RESPECT TO NATO AND
13 MAJOR NON-NATO COUNTRIES.—Section 3(d) (22
14 U.S.C. 2753(d)) is amended—

15 (1) in paragraph (2)—

16 (A) in subparagraph (A), by striking “Ex-
17 cept as provided in subparagraph (B), unless”
18 and inserting “Unless”; and

19 (ii) in subparagraph (B) to read as
20 follows:

21 “(B) Subparagraph (A) shall not apply in the case
22 of a proposed transfer to the North Atlantic Treaty Orga-
23 nization, or any member country of such Organization,
24 Japan, Australia, or New Zealand.”; and

1 (iii) in subparagraph (C), by striking
 2 “or (B)”; and

3 (2) in paragraph (3)—

4 (A) in the second sentence of subpara-
 5 graph (A), by striking “shall be submitted” and
 6 all that follows through “unless the President”
 7 and inserting “shall be submitted at least 30
 8 calendar days before such consent is given in
 9 the case of a transfer to a country other than
 10 a country which is a member of the North At-
 11 lantic Treaty Organization, Japan, Australia, or
 12 New Zealand, unless the President”;

13 (B) in the third sentence of subparagraph
 14 (A), by striking “(thus waiving the require-
 15 ments of clause (i) or (ii), as the case may be,
 16 and of subparagraph (B))”; and

17 (C) in subparagraph (B)—

18 (i) by striking “15-day or”; and

19 (ii) by striking “subparagraph (A)(i)
 20 or (ii), as the case may be,” and inserting
 21 “subparagraph (A)”.

22 **SEC. 4. MILITARY EXPORT CONTROLS.**

23 (a) **VALUE OF DEFENSE ARTICLES AND SERVICES.**—
 24 Section 36 (22 U.S.C. 2776) is amended in the first sen-
 25 tence of subsections (b)(1) and (c)(1)—

1 (1) by striking “\$14,000,000” each place it ap-
2 pears and inserting “\$25,000,000”; and

3 (2) by striking “\$50,000,000” each place it ap-
4 pears and inserting “\$85,000,000”.

5 (b) TRANSFERS WITH RESPECT TO NATO AND
6 MAJOR NON-NATO COUNTRIES.—Section 36 (22 U.S.C.
7 2776) is amended—

8 (1) in subsection (b)—

9 (A) in the matter following subparagraph
10 (P) of paragraph (1), by striking “proposed
11 sale to the North Atlantic Treaty Organization,
12 any member country of such Organization,
13 Japan, Australia, or New Zealand, if the Con-
14 gress, within fifteen calendar days after receiv-
15 ing such certification, or with respect to a pro-
16 posed sale to any other country or organiza-
17 tion,” and inserting “proposed sale to a country
18 other than a country which is a member of the
19 North Atlantic Treaty Organization, Japan,
20 Australia, or New Zealand, or to any other or-
21 ganization,”; and

22 (B) in paragraph (2), strike “, except that
23 for purposes of consideration of any joint reso-
24 lution” and all that follows through “its intro-
25 duction”;

1 (2) in subsection (c)(2)—

2 (A) in subparagraph (A)—

3 (i) by striking “the North Atlantic
4 Treaty Organization, any member country
5 of that Organization, Japan, Australia, or
6 New Zealand” and inserting “a country
7 other than a country which is a member of
8 the North Atlantic Treaty Organization,
9 Japan, Australia, or New Zealand, or to
10 any other organization”;

11 (ii) by striking “15” each place it ap-
12 pears and inserting “30”; and

13 (iii) by adding “and” at the end;

14 (B) in subparagraph (B), by striking “;
15 and” and inserting a period; and

16 (C) by striking subparagraph (C); and

17 (3) in subsection (d)—

18 (A) in paragraph (2), by striking “shall be
19 submitted” and all that follows through “unless
20 the President” and inserting “shall be sub-
21 mitted at least 30 days before approval is given
22 in the case of an agreement for or in a country
23 other than a country which is a member of the
24 North Atlantic Treaty Organization, Japan,

1 Australia, or New Zealand, unless the Presi-
 2 dent”; and

3 (B) in paragraph (4)—

4 (i) by striking “15-day or”; and

5 (ii) by striking “paragraph (2)(A) or
 6 (B), as the case may be,” and inserting
 7 “paragraph (2)”.

8 (c) LICENSE APPLICATIONS FOR COMMERCIAL
 9 SALES.—Section 36(c)(1) (22 U.S.C. 2776(c)(1)) is
 10 amended in the first sentence by striking “sold under a
 11 contract” each place it appears and inserting “to be sold
 12 under a contract, proposed contract, or formal proposal
 13 of sale”.

14 **SEC. 5. LEASES OF DEFENSE ARTICLES AND LOAN AUTHOR-**
 15 **ITY FOR COOPERATIVE RESEARCH AND DE-**
 16 **VELOPMENT PURPOSES.**

17 (a) VALUE OF DEFENSE ARTICLES.—Section 63(a)
 18 (22 U.S.C. 2796b(a)) is amended—

19 (1) by striking “\$14,000,000” and inserting
 20 “\$25,000,000”; and

21 (2) by striking “\$50,000,000” and inserting
 22 “\$85,000,000”.

23 (b) TRANSFERS WITH RESPECT TO NATO AND
 24 MAJOR NON-NATO COUNTRIES.—Chapter 6 (22 U.S.C.
 25 2796) is amended—

1 (1) in section 62(c), by striking “shall be trans-
2 mitted” and all that follows through “organization
3 or country” and inserting “shall be transmitted not
4 less than 30 calendar days before the agreement is
5 entered into or renewed in the case of an agreement
6 with a country other than a country which is a mem-
7 ber of the North Atlantic Treaty Organization,
8 Japan, Australia, or New Zealand, or any other or-
9 ganization”; and

10 (2) in section 63(a)—

11 (A) by striking “15-day or”; and

12 (B) by striking “section 62(c) (1) or (2),
13 as the case may be,” and inserting “section
14 62(c)”.

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