

(§§ 1351–1354) of subtitle B of title XIII of div. A of Pub. L. 118–31, enacting subchapter III of this title and amending section 8680 of Title 10, Armed Forces] may be cited as the ‘AUKUS Submarine Transfer Authorization Act’.”

#### SUBCHAPTER I—ADMINISTRATIVE PROVISIONS

### § 10411. AUKUS partnership oversight and accountability framework

#### (a) Senior Advisor

##### (1) Designation

##### (A) In general

The Secretary of State shall designate a senior advisor at the Department of State (in this section referred to as the “Senior Advisor”), who shall oversee and coordinate the implementation of the AUKUS partnership.

##### (B) Qualification

The Senior Advisor may be an individual serving within the existing leadership of the Department of State but that individual may not hold any other position concurrently while serving as the Senior Advisor.

##### (C) Reporting

The Senior Advisor shall report directly to the Secretary of State.

##### (D) Guidance

The Secretary of State shall issue guidance to all bureaus of the Department of State specifying the Senior Advisor’s responsibility for coordinating the implementation of all AUKUS partnership-related activities.

##### (2) Duties

The duties of the Senior Advisor shall be to—

(A) coordinate efforts to implement the AUKUS partnership across relevant bureaus, directorates, and offices of the Department of State involved in matters such as arms exports, non-proliferation, deterrence, security assistance, and Indo-Pacific and United Kingdom relations;

(B) serve as the lead within the Department of State on matters relating to the AUKUS partnership in the interagency process;

(C) lead diplomatic efforts related to the AUKUS partnership with other governments to explain how the partnership will enhance security and stability in the Indo-Pacific region; and

(D) consult regularly with the appropriate congressional committees and keep such committees fully and currently informed on all aspects of the AUKUS partnership, to include—

- (i) Australia’s acquisition of conventionally armed, nuclear-powered submarines;
- (ii) jointly developing advanced military capabilities; and
- (iii) any new programs under the AUKUS partnership.

##### (3) Personnel to support the Senior Advisor

The Secretary of State shall ensure that the Senior Advisor is adequately staffed with re-

spect to the Senior Advisor’s duties described in paragraph (2) through details, or assignment of employees of the Department of State, with expertise consistent with such duties.

#### (b) Task Force

##### (1) Establishment

The Secretary of State shall establish a task force, to be known as the Task Force on AUKUS (in this section referred to as the “Task Force”), which—

(A) shall meet regularly to coordinate internally on issues relating to the implementation of the AUKUS partnership; and

(B) shall be led by the Senior Advisor.

##### (2) Duties

The duties of the Task Force may include—

(A) ensuring that responsible offices maintain a unified list of all defense-related transactions that have taken place under the AUKUS partnership;

(B) ensuring the establishment of a framework for gathering, maintaining, and exchanging information relating to companies, individuals, or entities that are compromising security of military technology, defense articles, and defense services exchanged under the AUKUS partnership; and

(C) establishing an AUKUS industry forum for industry stakeholders, including non-traditional defense contractors (as such term is defined in section 3014 of title 10), that will be open for the participation of foreign industry involved in the AUKUS partnership.

##### (3) Personnel to support the Task Force

The personnel assigned to support the Senior Advisor under subsection (a)(3) shall also support the Task Force. The Secretary of State may not assign any additional personnel to support the Task Force.

#### (c) Notification

Not later than 180 days after December 22, 2023, or not later than 90 days after the date on which a senior advisor at the Department of State is designated as the Senior Advisor, whichever occurs earlier, the Secretary of State shall notify the appropriate congressional committees of the number of personnel, relevant expertise of such personnel, and duties of such personnel directly supporting the work of the Senior Advisor and the offices supporting the Task Force.

#### (d) Report

Not later than 120 days after December 22, 2023, the Secretary of State shall submit to the appropriate congressional committees a report that includes the following:

(1) A detailed description of the planned work of the Senior Advisor and the Task Force on matters related to the implementation of the AUKUS partnership.

(2) For the preceding two calendar years and the current calendar year—

(A) the average and median times for the United States Government to review applications for licenses to export defense articles or defense services to persons, corpora-

tions, and the governments (including agencies and subdivisions of such governments, including official missions of such governments) of Australia or the United Kingdom;

(B) the average and median times for the United States Government to review applications from Australia and the United Kingdom for foreign military sales beginning from the date Australia or the United Kingdom submitted a letter of request that resulted in a letter of acceptance; and

(C) the number of applications from Australia and the United Kingdom for licenses to export defense articles and defense services that were denied or approved with provisos, listed by year.

(3) For each of the preceding two calendar years, the number of voluntary disclosures resulting in a violation of the International Traffic in Arms Regulations enumerated under section 2780 of this title or involving prescribed countries listed in section 126.1 of the International Traffic in Arms Regulations, by persons, corporations, and the governments (including agencies and subdivisions of such governments, including official missions of such governments) of Australia or the United Kingdom, including information with respect to—

(A) any instance of unauthorized access to technical data or defense articles;

(B) inadequate physical or cyber security;

(C) retransfers or re-exports without authorization; and

(D) employees of foreign companies that are United States persons that provide defense services without authorization.

**(e) Annual report**

Not later than one year after December 22, 2023, and annually thereafter, the Senior Advisor shall submit to the appropriate congressional committees a report that includes—

(1) a detailed description of any issues that representatives of the United States, the United Kingdom, or Australia have identified that threaten or conflict with the stated goals of the AUKUS partnership and any efforts to resolve these issues;

(2) information on the National Disclosure Policy Committee with respect to adoption of a classification category relating to any anticipatory disclosure policy for Australia and the United Kingdom;

(3) a detailed description of Department of State investigations into violations under section 2778 of this title or related provisions that involve AUKUS partners or entities in the United States, the United Kingdom, and Australia;

(4) details on whether regulatory changes to exemptions authorized under subsection (l) of section 2778 of this title are likely or necessary within the next year; and

(5) an assessment of the change in the average and median Department of State licensing review times for the current reporting year based on the average and median licensing review times from the prior calendar year, including review times across the interagency for export licenses issued to Australia or the United Kingdom.

**(f) Sunset**

**(1) In general**

Subject to paragraph (2), the position of the Senior Advisor and the Task Force shall terminate on the date that is 7 years after December 22, 2023.

**(2) Renewal**

The Secretary of State may renew the position of the Senior Advisor and the Task Force for 1 additional period of 4 years beginning after the date on which the Secretary notifies the appropriate congressional committees of the renewal.

**(g) Appropriate congressional committees defined**

In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and Committee on Appropriations of the Senate.

(Pub. L. 118–31, div. A, title XIII, §1331, Dec. 22, 2023, 137 Stat. 502.)

**§ 10412. Designation of senior official for Department of Defense activities relating to, and implementation plan for, the AUKUS partnership**

**(a) Designation of senior official**

Not later than 90 days after December 22, 2023, the Secretary of Defense shall designate a senior civilian official of the Department of Defense who shall be responsible for overseeing Department of Defense activities relating to the AUKUS partnership.

**(b) Plan**

**(1) In general**

Not later than 90 days after December 22, 2023, the Secretary of Defense, in coordination with the Administrator for Nuclear Security and the Secretary of State, shall submit to the appropriate committees of Congress a report containing an implementation plan outlining Department of Defense efforts relating to the AUKUS partnership.

**(2) Elements**

The plan required by paragraph (1) shall include the following:

(A) Timelines and major anticipated milestones for the implementation of the AUKUS partnership.

(B) An identification of dependencies of such milestones on defense requirements that are—

(i) unrelated to the AUKUS partnership; and

(ii) solely within the decisionmaking responsibility of Australia or the United Kingdom.

(C) A consideration of the implications of the plan on the industrial base with respect to—

(i) the expansion of existing United States submarine construction capacity to fulfill United States, United Kingdom, and Australia requirements;