113TH CONGRESS 2D SESSION

H.R.3470

AN ACT

To affirm the importance of the Taiwan Relations Act, to provide for the transfer of naval vessels to certain foreign countries, and for other purposes.

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

1 SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

- 2 (a) SHORT TITLE.—This Act may be cited as the
- 3 "Taiwan Relations Act Affirmation and Naval Vessel
- 4 Transfer Act of 2014".
- 5 (b) Table of Contents for
- 6 this Act is as follows:
 - Sec. 1. Short title and table of contents.

TITLE I—AFFIRMATION OF IMPORTANCE OF TAIWAN RELATIONS ACT AND TRANSFER OF NAVAL VESSELS TO TAIWAN

- Sec. 101. Statement of policy relating to Taiwan Relations Act.
- Sec. 102. Transfer of naval vessels to Taiwan.

TITLE II—TRANSFER OF NAVAL VESSELS TO CERTAIN OTHER FOREIGN RECIPIENTS

- Sec. 201. Findings.
- Sec. 202. Transfer of naval vessels to certain other foreign recipients.

TITLE III—ARMS EXPORT CONTROL ACT AMENDMENTS

- Sec. 301. Increase in congressional notification thresholds.
- Sec. 302. Licensing of certain commerce-controlled items.
- Sec. 303. Amendments relating to removal of major defense equipment from United States Munitions List.
- Sec. 304. Amendment to definition of "security assistance" under the Foreign Assistance Act of 1961.
- Sec. 305. Amendments to definitions of "defense article" and "defense service" under the Arms Export Control Act.
- Sec. 306. Technical amendments.

TITLE IV—APPLICATION OF CERTAIN PROVISIONS OF EXPORT ADMINISTRATION

Sec. 401. Application of certain provisions of Export Administration Act of 1979.

1	TITLE I—AFFIRMATION OF IM-
2	PORTANCE OF TAIWAN RELA-
3	TIONS ACT AND TRANSFER
4	OF NAVAL VESSELS TO TAI-
5	WAN
6	SEC. 101. STATEMENT OF POLICY RELATING TO TAIWAN
7	RELATIONS ACT.
8	(a) FINDINGS.—Congress finds the following:
9	(1) The Taiwan Relations Act has been instru-
10	mental in maintaining peace, security, and stability
11	in the Western Pacific since its enactment in 1979,
12	and it is in the political, security, and economic in-
13	terests of the United States.
14	(2) The Taiwan Relations Act affirmed that the
15	United States' decision to establish a diplomatic re-
16	lationship with the People's Republic of China was
17	based on the expectation that the future of Taiwan
18	would be determined by peaceful means.
19	(3) The Taiwan Relations Act also states that
20	"it is the policy of the United States to provide Tai-
21	wan with arms of a defensive character and to main-
22	tain the capacity of the United States to resist any
23	resort to force or other forms of coercion that would
24	jeopardize the security, or the social or economic

system, of the people on Taiwan''.

1	(4) The Taiwan Relations Act also states that
2	"it is the policy of the United States to preserve and
3	promote extensive, close, and friendly commercial,
4	cultural, and other relations between the people of
5	the United States and the people on Taiwan, as well
6	as the people on the China mainland and all other
7	peoples of the Western Pacific area".
8	(5) The relationship between the United States
9	and Taiwan has been strengthened with—
10	(A) Taiwan's evolution into a free society
11	and a full-fledged, multi-party democracy;
12	(B) the development of Taiwan's robust
13	market economy;
14	(C) Taiwan's collaboration with the United
15	States to combat terrorism, as demonstrated in
16	part by its participation in the Container Secu-
17	rity Initiative; and
18	(D) the role Taiwan has played in address-
19	ing transnational and global challenges, includ-
20	ing its active engagement in humanitarian relief
21	measures, public health endeavors, environ-
22	mental protection initiatives, and financial mar-
23	ket stabilization efforts.
24	(6) The United States is the third largest trad-

ing partner and the largest investor in Taiwan, while

- 1 Taiwan is the twelfth largest trading partner of the 2 United States and the eighth largest United States 3 agricultural market. (7) Taiwan's democracy has deepened with the second peaceful transfer of power from one political 6 party to another after the presidential election in 7 March 2008. 8 (8) The United States and Taiwan are united 9 in our shared values in free elections, personal lib-10 erty, and free enterprise. 11 (b) STATEMENT OF POLICY.—Congress— 12 (1) reaffirms its unwavering commitment to the 13 Taiwan Relations Act as the cornerstone of relations 14 between the United States and Taiwan; 15 (2) reaffirms its support for Taiwan's demo-16 cratic institutions; 17
 - (3) reaffirms that peace in the Taiwan Strait should be maintained to the benefit of the Asia-Pacific region;
 - (4) supports the United States commitment to Taiwan's security in accord with the Taiwan Relations Act, including Taiwan's procurement of sophisticated weapons of a defensive character, such as F–16 C/Ds aircraft and diesel electric submarines:

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- 1 (5) reaffirms its commitment to deepen United
- 2 States-Taiwan trade and investment relations as well
- 3 as support for Taiwan's inclusion in bilateral and re-
- 4 gional trade agreements at the appropriate time and
- 5 under the right conditions in which outstanding
- 6 issues affecting United States exports are being ad-
- 7 dressed; and
- 8 (6) supports the strong and deepening relation-
- 9 ship between the United States and Taiwan.

10 SEC. 102. TRANSFER OF NAVAL VESSELS TO TAIWAN.

- 11 (a) Transfer by Sale.—The President is author-
- 12 ized to transfer the OLIVER HAZARD PERRY class
- 13 guided missile frigates USS TAYLOR (FFG-50), USS
- 14 GARY (FFG-51), USS CARR (FFG-52), and USS
- 15 ELROD (FFG-55) to the Taipei Economic and Cultural
- 16 Representative Office of the United States (which is the
- 17 Taiwan instrumentality designated pursuant to section
- 18 10(a) of the Taiwan Relations Act (22 U.S.C. 3309(a)))
- 19 on a sale basis under section 21 of the Arms Export Con-
- 20 trol Act (22 U.S.C. 2761).
- 21 (b) Costs of Transfers.—Any expense incurred by
- 22 the United States in connection with a transfer authorized
- 23 by this section shall be charged to the recipient notwith-
- 24 standing section 516(e) of the Foreign Assistance Act of
- 25 1961 (22 U.S.C. 2321j(e)).

1	(c) Repair and Refurbishment in United
2	STATES SHIPYARDS.—To the maximum extent prac-
3	ticable, the President shall require, as a condition of the
4	transfer of a vessel under this section, that the recipient
5	to which the vessel is transferred have such repair or re-
6	furbishment of the vessel as is needed, before the vessel
7	joins the naval forces of that recipient, performed at a
8	shipyard located in the United States, including a United
9	States Navy shipyard.
10	(d) Expiration of Authority.—The authority to
11	transfer a vessel under this section shall expire at the end
12	of the 3-year period beginning on the date of the enact-
13	ment of this section.
	TITLE II—TRANSFER OF NAVAL
14	
14 15	TITLE II—TRANSFER OF NAVAL
14 15 16	TITLE II—TRANSFER OF NAVAL VESSELS TO CERTAIN OTHER
14 15 16 17	TITLE II—TRANSFER OF NAVAL VESSELS TO CERTAIN OTHER FOREIGN RECIPIENTS
14 15 16 17 18	TITLE II—TRANSFER OF NAVAL VESSELS TO CERTAIN OTHER FOREIGN RECIPIENTS SEC. 201. FINDINGS.
13 14 15 16 17 18 19 20	TITLE II—TRANSFER OF NAVAL VESSELS TO CERTAIN OTHER FOREIGN RECIPIENTS SEC. 201. FINDINGS. (a) RELATING TO MEXICO.—Congress finds the fol-
14 15 16 17 18	TITLE II—TRANSFER OF NAVAL VESSELS TO CERTAIN OTHER FOREIGN RECIPIENTS SEC. 201. FINDINGS. (a) RELATING TO MEXICO.—Congress finds the following:
14 15 16 17 18 19 20	TITLE II—TRANSFER OF NAVAL VESSELS TO CERTAIN OTHER FOREIGN RECIPIENTS SEC. 201. FINDINGS. (a) RELATING TO MEXICO.—Congress finds the following: (1) The partnership between the United States
14 15 16 17 18 19 20 21	TITLE II—TRANSFER OF NAVAL VESSELS TO CERTAIN OTHER FOREIGN RECIPIENTS SEC. 201. FINDINGS. (a) RELATING TO MEXICO.—Congress finds the following: (1) The partnership between the United States and Mexico helps the economic and national security
14 15 16 17 18 19 20 21	TITLE II—TRANSFER OF NAVAL VESSELS TO CERTAIN OTHER FOREIGN RECIPIENTS SEC. 201. FINDINGS. (a) RELATING TO MEXICO.—Congress finds the following: (1) The partnership between the United States and Mexico helps the economic and national security of both countries, including in the area of energy.

- 1 (3) The partnership between the United States 2 and Mexico helps the economic competitiveness and 3 national security of both countries.
 - (4) The economies of the United States and Mexico are increasingly interdependent, with bilateral foreign direct investment increasing more than six-fold over the past two decades.
 - (5) In 2012 alone, bilateral trade in goods and services between the United States and Mexico exceeded \$500,000,000,000.
 - (6) The transfer of naval vessels to Mexico authorized under section 202 supports the modernization efforts of the Mexican Navy.
 - (7) Such naval vessels are suitable to support Mexico's offshore maritime surveillance, counter trafficking, interdiction, and oil platform security.
 - (8) The transfer of such naval vessels will contribute to United States interests in promoting increased maritime awareness to support security and protection of the people of the United States and the people of Mexico.
- 22 (b) RELATING TO THAILAND.—Congress finds the 23 following:

- 1 (1) Thailand was the first treaty ally of the 2 United States in the Asia-Pacific region and remains 3 a steadfast friend of the United States.
 - (2) In December 2003, the United States designated Thailand as a major non-NATO ally, which improved the security of both countries, particularly by facilitating joint counterterrorism efforts.
 - (3) For more than 30 years, Thailand has been the host country of Cobra Gold, the United States Pacific Command's annual multinational military training exercise, which is designed to ensure regional peace and promote regional security cooperation.
 - (4) The Royal Thai Navy has commanded Combined Task Force 151 (CTF 151) of the Combined Maritime Forces, a multi-national naval partnership consisting of 30 nations operating in and around the Gulf of Aden and off the eastern coast of Somalia.
 - (5) With the assistance of the Royal Thai Navy's Counter Piracy Task Group, CTF 151 is helping to expressly disrupt and suppress piracy, protect all vessels in the region and secure their free navigation.
- 24 (6) The Royal Thai Navy is also participating 25 in the multilateral Malacca Straits patrols with

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1	other regional partners to promote maritime safety
2	and security.
3	(7) The transfer of naval vessels to Thailand
4	authorized under section 202 will support enhanced
5	interoperability between the Royal Thai Navy and
6	United States Navy forces.
7	(8) The transfer of such naval vessels under-
8	scores the United States commitment to United
9	States-Thai relations and to peace and security in
10	the Asia-Pacific region.
11	SEC. 202. TRANSFER OF NAVAL VESSELS TO CERTAIN
12	OTHER FOREIGN RECIPIENTS.
1213	OTHER FOREIGN RECIPIENTS. (a) Transfers by Grant.—The President is au-
13	(a) Transfers by Grant.—The President is au-
13 14	(a) Transfers by Grant.—The President is authorized to transfer vessels to foreign countries on a grant
131415	(a) Transfers by Grant.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of
13 14 15 16	(a) Transfers by Grant.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows:
13 14 15 16 17	 (a) Transfers by Grant.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows: (1) Mexico.—To the Government of Mexico,
13 14 15 16 17 18	 (a) Transfers by Grant.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows: (1) Mexico.—To the Government of Mexico, the OLIVER HAZARD PERRY class guided missile
13 14 15 16 17 18	(a) Transfers by Grant.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows: (1) Mexico.—To the Government of Mexico, the OLIVER HAZARD PERRY class guided missile frigates USS CURTS (FFG-38) and USS
13 14 15 16 17 18 19 20	(a) Transfers by Grant.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows: (1) Mexico.—To the Government of Mexico, the OLIVER HAZARD PERRY class guided missile frigates USS CURTS (FFG-38) and USS MCCLUSKY (FFG-41).
13 14 15 16 17 18 19 20 21	(a) Transfers by Grant.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows: (1) Mexico.—To the Government of Mexico, the OLIVER HAZARD PERRY class guided missile frigates USS CURTS (FFG–38) and USS MCCLUSKY (FFG–41). (2) Thailand.—To the Government of Thai-

- 1 (b) ALTERNATIVE TRANSFER AUTHORITY.—Not-
- 2 withstanding the authority provided in subsection (a) to
- 3 transfer specific vessels to specific countries, the President
- 4 is authorized, subject to the same conditions that would
- 5 apply for such country under this section, to transfer any
- 6 vessel named in this section to any country named in this
- 7 section such that the total number of vessels transferred
- 8 to such country does not exceed the total number of ves-
- 9 sels authorized for transfer to such country by this sec-
- 10 tion.
- 11 (c) Grants Not Counted in Annual Total of
- 12 Transferred Excess Defense Articles.—The value
- 13 of a vessel transferred to another country on a grant basis
- 14 pursuant to authority provided by subsection (a) or (b)
- 15 shall not be counted against the aggregate value of excess
- 16 defense articles transferred in any fiscal year under sec-
- 17 tion 516 of the Foreign Assistance Act of 1961 (22 U.S.C.
- 18 2321j).
- 19 (d) Costs of Transfers.—Any expense incurred by
- 20 the United States in connection with a transfer authorized
- 21 by this section shall be charged to the recipient notwith-
- 22 standing section 516(e) of the Foreign Assistance Act of
- 23 1961 (22 U.S.C. 2321j(e)).
- 24 (e) Repair and Refurbishment in United
- 25 States Shipyards.—To the maximum extent prac-

1	ticable, the President shall require, as a condition of the
2	transfer of a vessel under this section, that the recipient
3	to which the vessel is transferred have such repair or re-
4	furbishment of the vessel as is needed, before the vessel
5	joins the naval forces of that recipient, performed at a
6	shipyard located in the United States, including a United
7	States Navy shipyard.
8	(f) Expiration of Authority.—The authority to
9	transfer a vessel under this section shall expire at the end
10	of the 3-year period beginning on the date of the enact-
11	ment of this Act.
12	TITLE III—ARMS EXPORT
1 4	
	CONTROL ACT AMENDMENTS
13 14	
13	CONTROL ACT AMENDMENTS
13 14	CONTROL ACT AMENDMENTS SEC. 301. INCREASE IN CONGRESSIONAL NOTIFICATION
13 14 15	CONTROL ACT AMENDMENTS SEC. 301. INCREASE IN CONGRESSIONAL NOTIFICATION THRESHOLDS.
13 14 15 16	CONTROL ACT AMENDMENTS SEC. 301. INCREASE IN CONGRESSIONAL NOTIFICATION THRESHOLDS. (a) FOREIGN MILITARY SALES.—
13 14 15 16	CONTROL ACT AMENDMENTS SEC. 301. INCREASE IN CONGRESSIONAL NOTIFICATION THRESHOLDS. (a) FOREIGN MILITARY SALES.— (1) IN GENERAL.—Section 36(b) of the Arms
113 114 115 116 117	CONTROL ACT AMENDMENTS SEC. 301. INCREASE IN CONGRESSIONAL NOTIFICATION THRESHOLDS. (a) FOREIGN MILITARY SALES.— (1) IN GENERAL.—Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amend-
113 114 115 116 117 118 119	CONTROL ACT AMENDMENTS SEC. 301. INCREASE IN CONGRESSIONAL NOTIFICATION THRESHOLDS. (a) FOREIGN MILITARY SALES.— (1) IN GENERAL.—Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amended—
13 14 15 16 17 18 19 20	CONTROL ACT AMENDMENTS SEC. 301. INCREASE IN CONGRESSIONAL NOTIFICATION THRESHOLDS. (a) FOREIGN MILITARY SALES.— (1) IN GENERAL.—Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amended— (A) in paragraph (1)—
13 14 15 16 17 18 19 20 21	CONTROL ACT AMENDMENTS SEC. 301. INCREASE IN CONGRESSIONAL NOTIFICATION THRESHOLDS. (a) FOREIGN MILITARY SALES.— (1) IN GENERAL.—Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amended— (A) in paragraph (1)— (i) in the matter preceding subpara-

1	(II) by striking "\$200,000,000"
2	and inserting "\$300,000,000"; and
3	(III) by striking "\$14,000,000"
4	and inserting "\$25,000,000"; and
5	(ii) in the matter following subpara-
6	graph (P)—
7	(I) by inserting "of any defense
8	articles or defense services under this
9	Act for \$200,000,000 or more, any
10	design and construction services for
11	\$300,000,000 or more, or any major
12	defense equipment for \$75,000,000 or
13	more," after "The letter of offer shall
14	not be issued, with respect to a pro-
15	posed sale"; and
16	(II) by inserting "of any defense
17	articles or services under this Act for
18	\$100,000,000 or more, any design
19	and construction services for
20	\$200,000,000 or more, or any major
21	defense equipment for \$50,000,000 or
22	more," after "or with respect to a
23	proposed sale"; and
24	(B) in paragraph (6)—

1	(i) in subparagraph (A), by striking
2	"\$25,000,000" and inserting
3	"\$75,000,000"; and
4	(ii) in subparagraph (B), by striking
5	"\$100,000,000" and inserting
6	``\$200,000,000``.
7	(b) Commercial Sales.—Section 36(c) of the Arms
8	Export Control Act (22 U.S.C. 2776(c)) is amended—
9	(1) in paragraph (1)—
10	(A) by striking "\$14,000,000" and insert-
11	ing "\$25,000,000"; and
12	(B) by striking "\$50,000,000" and insert-
13	ing "\$100,000,000"; and
14	(2) in paragraph (5)—
15	(A) in subparagraph (A), by striking
16	" $\$25,000,000$ " and inserting " $\$75,000,000$ ";
17	and
18	(B) in subparagraph (B), by striking
19	"\$100,000,000" and inserting "\$200,000,000".
20	SEC. 302. LICENSING OF CERTAIN COMMERCE-CON-
21	TROLLED ITEMS.
22	Section 38 of the Arms Export Control Act (22
23	U.S.C. 2778) is amended by adding at the end the fol-
24	lowing new subsection:

1	"(k) Licensing of Certain Commerce-Con-
2	TROLLED ITEMS.—
3	"(1) In general.—A license or other approval
4	from the Department of State granted in accordance
5	with this section may also authorize the export of
6	items subject to the Export Administration Regula-
7	tions if such items are to be used in or with defense
8	articles controlled on the United States Munitions
9	List.
10	"(2) OTHER REQUIREMENTS.—The following
11	requirements shall apply with respect to a license or
12	other approval to authorize the export of items sub-
13	ject to the Export Administration Regulations under
14	paragraph (1):
15	"(A) Separate approval from the Depart-
16	ment of Commerce shall not be required for
17	such items if such items are approved for ex-
18	port under a Department of State license or
19	other approval.
20	"(B) Such items subject to the Export Ad-
21	ministration Regulations that are exported pur-
22	suant to a Department of State license or other
23	approval would remain under the jurisdiction of
24	the Department of Commerce with respect to
25	any subsequent transactions.

1	"(C) The inclusion of the term 'subject to
2	the EAR' or any similar term on a Department
3	of State license or approval shall not affect the
4	jurisdiction with respect to such items.
5	"(3) Definition.—In this subsection, the term
6	'Export Administration Regulations' means—
7	"(A) the Export Administration Regula-
8	tions as maintained and amended under the au-
9	thority of the International Emergency Eco-
10	nomic Powers Act (50 U.S.C. 1701 et seq.); or
11	"(B) any successor regulations.".
12	SEC. 303. AMENDMENTS RELATING TO REMOVAL OF MAJOR
13	DEFENSE EQUIPMENT FROM UNITED STATES
13 14	DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.
14	MUNITIONS LIST.
14 15 16	MUNITIONS LIST. (a) REQUIREMENTS FOR REMOVAL OF MAJOR DE-
14 15 16 17	MUNITIONS LIST. (a) REQUIREMENTS FOR REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS
14 15 16 17	MUNITIONS LIST. (a) REQUIREMENTS FOR REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22)
14 15 16 17 18	MUNITIONS LIST. (a) REQUIREMENTS FOR REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) is amended by adding at the end the following statement of the section of
14 15 16 17 18	MUNITIONS LIST. (a) REQUIREMENTS FOR REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) is amended by adding at the end the following:
14 15 16 17 18 19 20	MUNITIONS LIST. (a) REQUIREMENTS FOR REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) is amended by adding at the end the following: "(5)(A) Except as provided in subparagraph
14 15 16 17 18 19 20 21	MUNITIONS LIST. (a) REQUIREMENTS FOR REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) is amended by adding at the end the following: "(5)(A) Except as provided in subparagraph (B), the President shall take such actions as may be
14 15 16 17 18 19 20 21	MUNITIONS LIST. (a) REQUIREMENTS FOR REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) is amended by adding at the end the following: "(5)(A) Except as provided in subparagraph (B), the President shall take such actions as may be necessary to require that, at the time of export or

- B of title 15, Code of Federal Regulations, the major defense equipment will not be subsequently modified so as to transform such major defense equipment into a defense article.
 - "(B) The President may authorize the transformation of any major defense equipment described in subparagraph (A) into a defense article if the President—
 - "(i) determines that such transformation is appropriate and in the national interests of the United States; and
 - "(ii) provides notice of such transformation to the chairman of the Committee on Foreign Affairs of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate consistent with the notification requirements of section 36(b)(5)(A) of this Act.
- "(C) In this paragraph, the term 'defense article' means an item designated by the President pursuant to subsection (a)(1).".
- 22 (b) Notification and Reporting Requirements 23 for Major Defense Equipment Removed From 24 United States Munitions List.—Section 38(f) of the
- 25 Arms Export Control Act (22 U.S.C. 2778(f)), as amend-

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ed by this section, is further amended by adding at the 2 end the following: 3 "(6) The President shall ensure that any major 4 defense equipment that is listed on the 600 series of 5 the Commerce Control List contained in Supplement 6 No. 1 to part 774 of subtitle B of title 15, Code of 7 Federal Regulations, shall continue to be subject to 8 the notification and reporting requirements of the 9 following provisions of law: 10 "(A) Section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)). 11 12 "(B) Section 655 of the Foreign Assist-13 ance Act of 1961 (22 U.S.C. 2415). 14 "(C) Section 3(d)(3)(A) of this Act. "(D) Section 25 of this Act. 15 16 "(E) Section 36(b), (c), and (d) of this 17 Act.". SEC. 304. AMENDMENT TO DEFINITION OF "SECURITY AS-18 19 SISTANCE" UNDER THE FOREIGN ASSIST-20 ANCE ACT OF 1961. 21 Section 502B(d) of the Foreign Assistance Act of 22 1961 (22 U.S.C. 2304(d)) is amended— 23 (1) in paragraph (1), by striking "and" at the 24 end; and 25 (2) in paragraph (2)(C) to read as follows:

1	"(C) any license in effect with respect to
2	the export to or for the armed forces, police, in-
3	telligence, or other internal security forces of a
4	foreign country of—
5	"(i) defense articles or defense serv-
6	ices under section 38 of the Armed Export
7	Control Act; or
8	"(ii) items listed under the 600 series
9	of the Commerce Control List contained in
10	Supplement No. 1 to part 774 of subtitle
11	B of title 15, Code of Federal Regula-
12	tions;".
13	SEC. 305. AMENDMENTS TO DEFINITIONS OF "DEFENSE AR-
13 14	SEC. 305. AMENDMENTS TO DEFINITIONS OF "DEFENSE ARTICLE" AND "DEFENSE SERVICE" UNDER THE
14	TICLE" AND "DEFENSE SERVICE" UNDER THE
14 15 16	TICLE" AND "DEFENSE SERVICE" UNDER THE ARMS EXPORT CONTROL ACT.
14 15 16	TICLE" AND "DEFENSE SERVICE" UNDER THE ARMS EXPORT CONTROL ACT. Section 47 of the Arms Export Control Act (22)
14 15 16 17	TICLE" AND "DEFENSE SERVICE" UNDER THE ARMS EXPORT CONTROL ACT. Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended—
14 15 16 17	TICLE" AND "DEFENSE SERVICE" UNDER THE ARMS EXPORT CONTROL ACT. Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended— (1) in the matter preceding subparagraph (A)
114 115 116 117 118	TICLE" AND "DEFENSE SERVICE" UNDER THE ARMS EXPORT CONTROL ACT. Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended— (1) in the matter preceding subparagraph (A) of paragraph (3), by striking "includes" and insert-
14 15 16 17 18 19 20	TICLE" AND "DEFENSE SERVICE" UNDER THE ARMS EXPORT CONTROL ACT. Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended— (1) in the matter preceding subparagraph (A) of paragraph (3), by striking "includes" and inserting "means, with respect to a sale or transfer by the
14 15 16 17 18 19 20 21	TICLE" AND "DEFENSE SERVICE" UNDER THE ARMS EXPORT CONTROL ACT. Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended— (1) in the matter preceding subparagraph (A) of paragraph (3), by striking "includes" and inserting "means, with respect to a sale or transfer by the United States under the authority of this Act or any
14 15 16 17 18 19 20 21	TICLE" AND "DEFENSE SERVICE" UNDER THE ARMS EXPORT CONTROL ACT. Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended— (1) in the matter preceding subparagraph (A) of paragraph (3), by striking "includes" and inserting "means, with respect to a sale or transfer by the United States under the authority of this Act or any other foreign assistance or sales program of the

1 transfer by the United States under the authority of 2 this Act or any other foreign assistance or sales pro-3 gram of the United States,". 4 SEC. 306. TECHNICAL AMENDMENTS. 5 (a) In General.—The Arms Export Control Act (22) 6 U.S.C. 2751 et seq.) is amended— 7 (1) in sections 3(a), 3(d)(1), 3(d)(3)(A), 3(e), 8 5(c), 6, 21(g), 36(a), 36(b)(1), 36(b)(5)(C),9 36(c)(1). 36(f), 38(f)(1), 40(f)(1), 40(g)(2)(B), 101(b), and 102(a)(2), by striking "the Speaker of 10 11 the House of Representatives and" each place it ap-12 pears and inserting "the Speaker of the House of 13 Representatives, the Committee on Foreign Affairs 14 of the House of Representatives, and"; 15 (2) in section 21(i)(1) by inserting after "the 16 Speaker of the House of Representatives" the fol-17 lowing ", the Committees on Foreign Affairs and 18 Armed Services of the House of Representatives,"; 19 (3) in sections 25(e), 38(f)(2), 38(j)(3), and 20 38(j)(4)(B), by striking "International Relations" 21 each place it appears and inserting "Foreign Af-22 fairs"; 23 (4) in sections 27(f) and 62(a), by inserting 24 after "the Speaker of the House of Representa-25 tives," each place it appears the following: "the

1	Committee on Foreign Affairs of the House of Rep-
2	resentatives,"; and
3	(5) in section 73(e)(2), by striking "the Com-
4	mittee on National Security and the Committee on
5	International Relations of the House of Representa-
6	tives" and inserting "the Committee on Armed Serv-
7	ices and the Committee on Foreign Affairs of the
8	House of Representatives".
9	(b) OTHER TECHNICAL AMENDMENTS.—
10	(1) ARMS EXPORT CONTROL ACT.—The Arms
11	Export Control Act (22 U.S.C. 2751 et seq.), as
12	amended by subsection (a), is further amended—
13	(A) in section 38—
14	(i) in subsection (b)(1), by redesig-
15	nating the second subparagraph (B) (as
16	added by section 1255(b) of the Foreign
17	Relations Authorization Act, Fiscal Years
18	1988 and 1989 (Public Law 100-204; 101
19	Stat. 1431)) as subparagraph (C);
20	(ii) in subsection $(g)(1)(A)$ —
21	(I) in clause (xi), by striking ";
22	or" and inserting ", or"; and
23	(II) in clause (xii)—
24	(aa) by striking "section"
25	and inserting "sections"; and

1	(bb) by striking "(18 U.S.C.
2	175b)" and inserting "(18
3	U.S.C. 175c)"; and
4	(iii) in subsection (j)(2), in the matter
5	preceding subparagraph (A), by inserting
6	"in" after "to"; and
7	(B) in section $47(2)$, in the matter pre-
8	ceding subparagraph (A), by striking "sec.
9	21(a),," and inserting "section 21(a),".
10	(2) Foreign assistance act of 1961.—Sec-
11	tion 502B of the Foreign Assistance Act of 1961
12	(22 U.S.C. 2304) is amended—
13	(A) in subsection (b), by striking "Wher-
14	ever applicable, a description" and inserting
15	"Wherever applicable, such report shall include
16	a description"; and
17	(B) in subsection (d)(2)(B), by striking
18	"credits" and inserting "credits".
19	TITLE IV—APPLICATION OF CER-
20	TAIN PROVISIONS OF EXPORT
21	ADMINISTRATION
22	SEC. 401. APPLICATION OF CERTAIN PROVISIONS OF EX-
23	PORT ADMINISTRATION ACT OF 1979.
24	(a) Protection of Information.—Section 12(c)
25	of the Export Administration Act of 1979 (50 U.S.C. App.

- 1 2411(c)) has been in effect from August 20, 2001, and
- 2 continues in effect on and after the date of the enactment
- 3 of this Act, pursuant to the International Emergency Eco-
- 4 nomic Powers Act (50 U.S.C. 1701 et seq.) and notwith-
- 5 standing section 20 of the Export Administration Act of
- 6 1979 (50 U.S.C. App. 2419). Section 12(c)(1) of the Ex-
- 7 port Administration Act of 1979 is a statute covered by
- 8 section 552(b)(3) of title 5, United States Code.
- 9 (b) Termination Date.—Subsection (a) terminates
- 10 at the end of the 4-year period beginning on the date of
- 11 the enactment of this Act.

Passed the House of Representatives April 7, 2014.
Attest:

Clerk.

113TH CONGRESS H. R. 3470

AN ACT

To affirm the importance of the Taiwan Relations Act, to provide for the transfer of naval vessels to certain foreign countries, and for other purposes.