

Calendar No. _____

116TH CONGRESS
1ST SESSION**S. 1945**

To amend section 36 of the Arms Export Control Act (22 U.S.C. 2776) to preserve congressional review and oversight of foreign arms sales, and for other purposes.

 IN THE SENATE OF THE UNITED STATES

Mr. MENENDEZ (for himself, Mr. GRAHAM, Mr. MURPHY, Mr. PAUL, Mr. LEAHY, Mr. LEE, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JUNE _____ (legislative day, JUNE _____), 2019

Reported by Mr. RISCH, without amendment

A BILL

To amend section 36 of the Arms Export Control Act (22 U.S.C. 2776) to preserve congressional review and oversight of foreign arms sales, 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 TITLES.**

4 This Act may be cited as the “Saudi Arabia False
5 Emergencies Act” or the “SAFE Act”.

1 **SEC. 2. PROTECTION OF CONGRESSIONAL REVIEW AND**
2 **OVERSIGHT OF ARMS SALES TO SAUDI ARA-**
3 **BIA AND OTHER COUNTRIES.**

4 Section 36 of the Arms Export Control Act (22
5 U.S.C. 2776) is amended by adding at the end the fol-
6 lowing:

7 “(j) DETERMINATION OF AN EMERGENCY.—Notwith-
8 standing any other provision of this Act related to a deter-
9 mination of an emergency to waive congressional review
10 of proposed letters of offer, licenses, or approvals—

11 “(1) a determination pursuant to subsection
12 (b)(1), (c)(2), (d)(2), section 3(d)(2), or any other
13 provision of this Act that an emergency exists shall
14 apply only to the North Atlantic Treaty Organiza-
15 tion, any member country of the North Atlantic
16 Treaty Organization, Australia, Japan, the Republic
17 of Korea, Israel, and New Zealand;

18 “(2) the President—

19 “(A) shall submit a determination and de-
20 tailed justification for each letter of offer, li-
21 cense, or approval subject to an emergency de-
22 termination; and

23 “(B) shall include a specific and detailed
24 description of how such waiver of the congress-
25 sional review requirements directly responds to

1 or addresses the circumstances of the emer-
2 gency cited in the determination; and

3 “(3) the determination described in paragraph
4 (2)(A) shall only be available for a certification for
5 a letter of offer, license, or approval for defense arti-
6 cles or defense services—

7 “(A) that directly respond to or counter a
8 physical security threat; and

9 “(B) 75 percent of which will be delivered
10 not later than 2 months after the date of such
11 determination.”.