

S.L.C.
[Handwritten signature]
Kaine 2nd Degree 1
to Menendez 1st Degree 2

AMENDMENT NO. _____ Calendar No. _____

Purpose: To address repair and refurbishment of AUKUS submarines.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 2043

To provide for certain authorities of the Department of State, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. KAINE to the amendment (No. _____) proposed by Mr. MENENDEZ

Viz:

- 1 On page 14, strike line 14 and all that follows
- 2 through page 15, line 2, and insert the following:
- 3 “(1) SHIPYARD.—Notwithstanding any other
- 4 provision of this section, and subject to paragraph
- 5 (2), the President shall determine the appropriate
- 6 public or private shipyard in the United States, Aus-
- 7 tralia, or the United Kingdom to perform any repair
- 8 or refurbishment of a United States submarine in-
- 9 volved in submarine security activities between the
- 10 United States, Australia, and the United Kingdom.
- 11 “(2) CONDITIONS.—

1 “(A) IN GENERAL.—The President may
2 determine under paragraph (1) that repair or
3 refurbishment described in such paragraph may
4 be performed in Australia or the United King-
5 dom only if—

6 “(i) such repair or refurbishment will
7 facilitate the development of repair or re-
8 furbishment capabilities in the United
9 Kingdom or Australia;

10 “(ii) such repair or refurbishment will
11 be for a United States submarine that is
12 assigned to a port outside of the United
13 States; or

14 “(iii) the Secretary of Defense cer-
15 tifies to Congress that performing such re-
16 pair or refurbishment at a shipyard in
17 Australia or the United Kingdom is re-
18 quired due to an exigent threat to the na-
19 tional security interests of the United
20 States.

21 “(B) CONSIDERATION.—In making a de-
22 termination under subparagraph (A), the Presi-
23 dent shall consider any effects of such deter-
24 mination on the capacity and capability of ship-
25 yards in the United States.

1 “(C) BRIEFING REQUIRED.—Not later
2 than 15 days after the date on which the Sec-
3 retary of Defense makes a certification under
4 subparagraph (A)(iii), the Secretary shall brief
5 the congressional defense committees on—

6 “(i) the threat that requires the use of
7 a shipyard in Australia or the United
8 Kingdom; and

9 “(ii) opportunities to mitigate the fu-
10 ture potential need to leverage foreign
11 shipyards.

12 “(3) PERSONNEL.—Repair or refurbishment de-
13 scribed in paragraph (1) may be carried out by per-
14 sonnel of the United States, the United Kingdom, or
15 Australia in accordance with the international ar-
16 rangements governing the submarine security activi-
17 ties described in such paragraph.”.