

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.

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IN THE SENATE OF THE UNITED STATES

JUNE 24, 2019

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

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## 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 congres-  
25   sional review requirements directly responds to

1           or addresses the circumstances of the emergency 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 articles or defense services—

7           “(A) that directly respond to or counter a 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.”.

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