

SA 1549. Mrs. ERNST (for herself, Mrs. BOXER, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes;

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which was ordered to lie on the table; as follows:

At the end of section 1229, add the following:

(c) *Statement of Policy.*--It is the policy of the United States to promote a stable and unified Iraq, including by directly providing the Kurdistan Regional Government military and security forces associated with the Government of Iraq with defense articles, defense services, and related training, on an emergency and temporary basis, to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant (ISIL).

(d) *Authorization.*--

(1) **MILITARY ASSISTANCE.**--The President, in consultation with the Government of Iraq, is authorized to provide defense articles, defense services, and related training directly to Kurdistan Regional Government military and security forces associated with the Government of Iraq for the purpose of supporting international coalition efforts against the Islamic State of Iraq and the Levant (ISIL) and any successor group or associated forces.

(2) **DEFENSE EXPORTS.**--The President is authorized to issue licenses authorizing United States exporters to export defense articles, defense services, and related training directly to the Kurdistan Regional Government military and security forces described in paragraph (1). For purposes of processing applications for such export licenses, the President is authorized to accept End Use Certificates approved by the Kurdistan Regional Government.

(3) **TYPES OF ASSISTANCE.**--Assistance authorized under paragraph (1) and exports authorized under paragraph (2) may include anti-tank and anti-armor weapons, armored vehicles, long-range artillery, crew-served weapons and ammunition, secure command and communications equipment, body armor, helmets, logistics equipment, excess defense

articles and other military assistance that the President determines to be appropriate.

(e) Relationship to Existing Authorities.--

(1) **RELATIONSHIP TO EXISTING AUTHORITIES.**--Assistance authorized under subsection (b)(1) and licenses for exports authorized under subsection (d)(2) shall be provided pursuant to the applicable provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), notwithstanding any requirement in such applicable provisions of law that a recipient of assistance of the type authorized under subsection (d)(1) shall be a country or international organization. In addition, any requirement in such provisions of law applicable to such countries or international organizations concerning the provision of end use retransfers and other assurance required for transfers of such assistance should be secured from the Kurdistan Regional Government.

(2) **CONSTRUCTION AS PRECEDENT.**--Nothing in this section shall be construed as establishing a precedent for the future provision of assistance described in subsection (d) to organizations other than a country or international organization.

(f) Reports.--

(1) **INITIAL REPORT.**--Not later than 45 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes the following:

(A) A timeline for the provision of defense articles, defense services, and related training under the authority of subsections (d)(1) and (d)(2).

(B) A description of mechanisms and procedures for end-use monitoring of such defense articles, defense services, and related training.

(C) How such defense articles, defense services, and related training would contribute to the foreign policy and national security of the United States, as well as impact security in the region.

(2) **UPDATES.**--Not later than 180 days after the submittal of the report required by paragraph (1), and every 180 days thereafter through the termination pursuant to subsection (i) of the authority in subsection (d), the President shall submit to the appropriate congressional committees a report updating the previous report submitted under this subsection. In addition to

any matters so updated, each report shall include a description of any delays, and the circumstances surrounding such delays, in the delivery of defense articles, defense services, and related training to the Kurdistan Regional Government pursuant to the authority in subsections (d)(1) and (d)(2).

(3) **FORM.**--Any report under this subsection shall be submitted in unclassified form, but may include a classified annex.

(4) **DEFINITION.**--In this subsection, the term ``appropriate congressional committees'' means--

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(g) *Notification.*--The President should provide notification to the Government of Iraq, when practicable, not later than 15 days before providing defense articles, defense services, or related training to the Kurdistan Regional Government under the authority of subsection (d)(1) or (d)(2).

(h) *Additional Definitions.*--In this section, the terms ``defense article'', ``defense service'', and ``training'' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(i) *Termination.*--The authority to provide defense articles, defense services, and related training under subsection (d)(1) and the authority to issue licenses for exports authorized under subsection (d)(2) shall terminate on the date that is three years after the date of the enactment of this Act.