

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1654
OFFERED BY MR. ROYCE OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. FINDINGS.

2 Congress finds the following:

3 (1) Since 2011, the terrorist group now known
4 as the Islamic State in Iraq and the Levant (ISIL),
5 has rapidly expanded, now possessing greater fund-
6 ing, more personnel, and heavier weapons than any
7 other terrorist force.

8 (2) ISIL has threatened to continue attacking
9 United States persons and interests and has an
10 apocalyptic vision for a larger confrontation with the
11 United States and its allies in the Middle East.

12 (3) According to the United States intelligence
13 community, approximately 20,000 to 30,000 ISIL
14 fighters operate in Iraq and Syria, an estimated
15 5,000 of which are believed to have western pass-
16 ports.

1 (4) ISIL finances itself through looting, smug-
2 gling, taxes, oil sales, kidnapping, and human traf-
3 ficking.

4 (5) According to United States officials, ISIL
5 captured approximately 1,500 Humvees, a number
6 of other modern armored vehicles and transport
7 trucks, over 50 long-range Global Positioning Sys-
8 tem (GPS)-guided artillery pieces, a substantial
9 number of artillery shells, a large quantity of small
10 arms, approximately 4,000 heavy machine guns, and
11 other weapons from the Iraqi Security Forces in
12 June 2014, and has also reportedly captured a num-
13 ber of other weapons and vehicles from Bashar al-
14 Assad's forces in Syria.

15 (6) The rapidly deteriorating humanitarian sit-
16 uation in Iraq caused by ISIL advances in Iraq and
17 Syria has resulted in approximately 2,000,000 refu-
18 gees and internally displaced people from Syria and
19 Iraq taking refuge in the Iraqi Kurdistan region.
20 The Kurdistan Regional Government is facing a hu-
21 manitarian and budget crisis while defending itself
22 from ISIL.

23 (7) The Kurdistan Regional Government
24 (KRG) is the democratically elected government of
25 the Kurdistan Region in Iraq, and Iraqi Kurds have

1 been a reliable and stable partner of the United
2 States.

3 (8) The Iraqi constitution guarantees the right
4 of Iraqi regions, such as Iraqi Kurdistan, to main-
5 tain “internal security forces for the region such as
6 police, security forces, and guards of the region”.

7 (9) The Kurdish Peshmerga forces are officially
8 organized under the Ministry of Peshmerga Affairs
9 and commanded by the Minister of Peshmerga, who
10 reports to the President of the Kurdistan Regional
11 Government.

12 (10) ISIL has positioned its forces along a 650-
13 mile border with the Kurdistan Regional Govern-
14 ment’s Peshmerga forces.

15 (11) ISIL has employed captured armored vehi-
16 cles, long-range artillery, and heavy weapons in at-
17 tacking thinly stretched Kurdish forces along the
18 border.

19 (12) United States airstrikes against ISIL tar-
20 gets have helped stall the terrorist organization’s ad-
21 vance on territory held by Kurdish forces, but have
22 not proven to be militarily decisive against ISIL.

23 (13) The United States and its allies have pro-
24 vided the resupply of various small arms and train-
25 ing to Peshmerga forces since June 2014.

1 (14) Such resupply efforts, to comply with
2 United States law, must be approved and coordi-
3 nated through the Government of Iraq. In the initial
4 phase of the resupply effort, the Government of Iraq
5 constrained and delayed the emergency supply of
6 weapons to the Kurdistan Regional Government.

7 (15) The Peshmerga forces continue to lack the
8 arms and battle-ready armored vehicles necessary to
9 sustain significant offensive action against ISIL
10 forces, leading to their requests for such assistance.

11 (16) The possession of armored vehicles, anti-
12 armor weapons, long-range artillery, and other weap-
13 ons is consistent with the Kurdistan Regional Gov-
14 ernment's constitutional right to defend itself
15 against the clear and present danger posed by ISIL.

16 (17) A strong Peshmerga force is essential to
17 countering the ISIL threat to Iraq, the region, and
18 United States interests.

19 (18) The longer ISIL's sanctuary remains
20 largely unchallenged, the more time it will have to
21 reinforce its positions, and plan attacks against
22 United States interests.

23 **SEC. 2. SENSE OF CONGRESS.**

24 It is the sense of Congress that—

1 (1) defeating the Islamic State in Iraq and the
2 Levant (ISIL) is critical to maintaining a unified
3 Iraq in which all faiths and ethnicities are afforded
4 equal protection and full integration into the Iraqi
5 government and society;

6 (2) the people of Kurdistan face an urgent and
7 deadly threat from ISIL which the Iraqi Security
8 Forces, of which the Peshmerga are a component,
9 are currently unable to match in armaments;

10 (3) any outstanding issues between the Govern-
11 ment of Iraq and the Kurdistan Regional Govern-
12 ment should be resolved by the two parties expedi-
13 tiously to allow for a resumption of normal relations;
14 and

15 (4) ISIL's recent advances and continued
16 growth present an imminent threat to Iraqi
17 Kurdistan, the rest of Iraq and the Middle East,
18 and international security.

19 **SEC. 3. STATEMENT OF POLICY.**

20 It shall be the policy of the United States to directly
21 provide the Kurdistan Regional Government with ad-
22 vanced conventional weapons, training, and defense serv-
23 ices, on an emergency and temporary basis, to more effec-
24 tively partner with the United States and other inter-

1 national coalition members to defeat the Islamic State in
2 Iraq and the Levant (ISIL).

3 **SEC. 4. TEMPORARY EMERGENCY AUTHORIZATION OF DE-**
4 **ENSE ARTICLES, DEFENSE SERVICES, AND**
5 **RELATED TRAINING DIRECTLY TO THE**
6 **KURDISTAN REGIONAL GOVERNMENT.**

7 (a) IN GENERAL.—The President should consult with
8 the Government of Iraq in carrying out the authority pro-
9 vided in subsection (b).

10 (b) AUTHORIZATION.—

11 (1) MILITARY ASSISTANCE.—The President is
12 authorized to provide defense articles, defense serv-
13 ices, and related training directly to the Kurdistan
14 Regional Government for the purpose of supporting
15 international coalition efforts against the Islamic
16 State in Iraq and the Levant (ISIL) or any closely-
17 related successor entity.

18 (2) DEFENSE EXPORTS.—The President is au-
19 thorized to issue licenses authorizing United States
20 exporters to export defense articles, defense services,
21 and related training directly to the Kurdistan Re-
22 gional Government. For purposes of processing ap-
23 plications for such export licenses, the President is
24 authorized to accept End Use Certificates approved
25 by the Kurdistan Regional Government.

1 (3) TYPES OF ASSISTANCE.—Assistance author-
2 ized under paragraph (1) and exports authorized
3 under paragraph (2) may include anti-tank and anti-
4 armor weapons, armored vehicles, long-range artil-
5 lery, crew-served weapons and ammunition, secure
6 command and communications equipment, body
7 armor, helmets, logistics equipment, excess defense
8 articles and other military assistance that the Presi-
9 dent determines to be appropriate.

10 (c) RELATIONSHIP TO EXISTING AUTHORITIES; CON-
11 DITIONS OF ELIGIBILITY.—

12 (1) RELATIONSHIP TO EXISTING AUTHORI-
13 TIES.—Assistance authorized under subsection
14 (b)(1) and licenses for export authorized under sub-
15 section (b)(2) shall be provided notwithstanding any
16 eligibility requirement under section 3 of the Arms
17 Export Control Act (22 U.S.C. 2753) or under chap-
18 ter 2 of part II of the Foreign Assistance Act of
19 1961 (22 U.S.C. 2311 et seq.).

20 (2) CONDITIONS OF ELIGIBILITY.—In addition
21 to such other provisions as the President may re-
22 quire, no defense article, defense service, or related
23 training may be provided to the Kurdistan Regional
24 Government under the authority of subsection (b)(1)

1 or (b)(2) unless the Kurdistan Regional Government
2 agrees that—

3 (A) it will not provide any such defense ar-
4 ticle, defense service, or related training to any-
5 one who is not an officer, employee, or agent of
6 the Kurdistan Regional Government, and

7 (B) it will not use or permit the use of any
8 such defense article, defense service, or related
9 training for purposes other than the purposes
10 for which it was provided,

11 unless the consent of the President has first been
12 obtained.

13 (d) REPORT.—

14 (1) IN GENERAL.—Not later than 60 days after
15 the date of the enactment of this Act, the President
16 shall submit to the appropriate congressional com-
17 mittees a report on the following:

18 (A) The anticipated defense articles, de-
19 fense services, and related training to be pro-
20 vided under the authority of subsections (b)(1)
21 and (b)(2).

22 (B) A timeline for the provision of such de-
23 fense articles, defense services, and related
24 training.

1 (C) A description of mechanisms and pro-
2 cedures for end-use monitoring of such defense
3 articles, defense services, and related training.

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

9 (2) DEFINITION.—In this subsection, the term
10 “appropriate congressional committees” means—

11 (A) the Committee on Foreign Affairs, the
12 Committee on Appropriations, and the Com-
13 mittee on Armed Services of the House of Rep-
14 resentatives; and

15 (B) the Committee on Foreign Relations,
16 the Committee on Appropriations, and the
17 Committee on Armed Services of the Senate.

18 (e) NOTIFICATION.—The President should provide
19 notification to the Government of Iraq prior to defense
20 articles, defense services, or related training being pro-
21 vided to the Kurdistan Regional Government under the
22 authority of subsection (b)(1) or (b)(2).

23 (f) DEFINITIONS.—In this section, the terms “de-
24 fense article”, “defense service”, and “training” have the

1 meanings given those terms in section 47 of the Arms Ex-
2 port Control Act (22 U.S.C. 2794).

3 (g) TERMINATION.—The authority to provide defense
4 articles, defense services, and related training under sub-
5 section (b)(1) and the authority to issue licenses for ex-
6 ports authorized under subsection (b)(2) shall terminate
7 on the date that is 3 years after the date of the enactment
8 of this Act.

