

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 8892  
OFFERED BY MR. HUIZENGA OF MICHIGAN**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Missile Technology  
3 Controls Revision Act” or the “MTCR Act”.

**4 SEC. 2. MODIFICATION OF CERTAIN PROVISIONS RELATING  
5                   TO BILATERAL AGREEMENTS AND AUKUS DE-  
6                   FENSE TRADE COOPERATION UNDER THE  
7                   ARMS EXPORT CONTROL ACT.**

8       Section 38 of the Arms Export Control Act (22  
9 U.S.C. 2778) is amended—

10           (1) in subsection (j)(1)(C)(ii)—

11               (A) by striking subclauses (I), (II), and  
12               (III); and

13               (B) by redesignating subclauses (IV), (V),  
14               (VI), and (VII) as subclauses (I), (II), (III),  
15               and (IV), respectively; and

16           (2) in subsection (l)(4)(B), by striking “sub-  
17           section (j)(1)(C)(ii)” and inserting “any of sub-

1 clauses (I), (II), (III), or (IV) of subsection  
2 (j)(1)(C)(ii)”.

3 **SEC. 3. REPORT.**

4 (a) IN GENERAL.—Not later than 90 days after the  
5 date of the enactment of this Act, the Secretary of State  
6 shall submit to the appropriate congressional committees  
7 a report on the following:

8 (1) The opportunities and challenges that  
9 United States participation in the Missile Tech-  
10 nology Control Regime create in addressing missile  
11 proliferation threats, including a comprehensive de-  
12 scription of diplomatic and technical engagements  
13 with allies and partners regarding MTCR participa-  
14 tion, guidelines, and standards.

15 (2) The opportunities and challenges United  
16 States participation in the MTCR create regarding  
17 security cooperation with allies and partners, includ-  
18 ing a comprehensive description of diplomatic and  
19 technical engagements with allies and partners re-  
20 garding MTCR participation, guidelines, and stand-  
21 ards.

22 (3) An update on MTCR-related deliberations  
23 and engagements specific to North Atlantic Treaty  
24 Organization (NATO) allies, Australia, and other  
25 partners and allies in the Indo-Pacific, including—

1 (A) technical consultations, diplomatic en-  
2 gagements, and export control regime consulta-  
3 tions and assistance; and

4 (B) an enumeration of planned modifica-  
5 tions to or recommended changes to address the  
6 need for expedited sales and transfer of MTCR-  
7 controlled systems to address threats to United  
8 States national security, including in the Indo-  
9 Pacific region.

10 (4) A detailed description and assessment of  
11 disinformation and misinformation campaigns or ac-  
12 tivities seeking to discredit or undermine global non-  
13 proliferation regimes, including such campaigns or  
14 activities conducted by the People's Republic of  
15 China, Iran, Russia, and North Korea and their as-  
16 sessed impact on such regimes.

17 (5) A detailed description of Russia's efforts to  
18 disrupt consensus based decisions at the MTCR.

19 (6) A detailed description and assessment of co-  
20 operation between the People's Republic of China,  
21 Iran, Russia, and North Korea relating to MTCR  
22 equipment or technologies.

23 (7) A comprehensive list, disaggregated by cat-  
24 egory of MTCR equipment or technology, of all  
25 countries that have sought to purchase MTCR

1 equipment or technologies during the 10-year period  
2 ending on the date of the enactment of this Act, in-  
3 cluding—

4 (A) average time for an approval or dis-  
5 approval decision;

6 (B) reasoning and procedures that led to  
7 an approval or disapproval decision; and

8 (C) details about countries that have re-  
9 peatedly overcome the presumption of denial  
10 standard if and how the Department of State  
11 expedited considerations for further requests.

12 (8) A comprehensive list, disaggregated by cat-  
13 egory of MTCR equipment or technology, of United  
14 States persons that have sought to export MTCR  
15 equipment or technologies to other countries, includ-  
16 ing—

17 (A) average time for an approval or dis-  
18 approval decision;

19 (B) reasoning and procedures that led to  
20 an approval or disapproval decision;

21 (C) information on those United States  
22 persons who have challenged any disapproval  
23 decision; and

24 (D) a detailed explanation of the process  
25 United States persons can follow to appeal a

1           disapproval decision, including a detailed licens-  
2           ing process that such persons should expect to  
3           follow to in order to receive consideration for an  
4           approval decision.

5           (b) FORM.—The report required by subsection (a)  
6 shall be submitted in unclassified form but may include  
7 a classified annex.

8           (c) DEFINITIONS.—In this section—

9           (1) the term “appropriate congressional com-  
10          mittees” means—

11                   (A) the Committee on Foreign Affairs of  
12                   the House of Representatives; and

13                   (B) the Committee on Foreign Relations of  
14                   the Senate; and

15           (2) the terms “Missile Technology Control Re-  
16          gime”, “MTCR” and “MTCR equipment or tech-  
17          nology” have the meanings given those terms in sec-  
18          tion 74(a) of the Arms Export Control Act (22  
19          U.S.C. 2797c(a)).

