

AMENDMENT TO H.R. 5300
OFFERED BY MR. SHERMAN OF CALIFORNIA

At the appropriate place, insert the following:

1 **SEC. ____.** **CERTIFICATION REQUIREMENT FOR MAJOR**
2 **ARMS SALES TO TURKEY.**

3 (a) IN GENERAL.—Chapter 2 of the Arms Export
4 Control Act (22 U.S.C. 2751 et seq.) is amended by in-
5 serting after section 36 the following:

6 **“SEC. 36A. CERTIFICATION REGARDING SALES TO THE RE-**
7 **PUBLIC OF TURKEY.**

8 “(a) CERTIFICATION REQUIRED.—Notwithstanding
9 any other provision of law, no letter of offer to sell defense
10 articles or defense services under section 36(b) of this Act
11 to the Republic of Turkey may be issued, and no license
12 may be approved for export under section 38 of this Act,
13 for a transaction that qualifies as a major defense equip-
14 ment sale or a major defense services sale to Turkey, un-
15 less the President submits to the appropriate congres-
16 sional committees a certification that—

17 “(1) such sale will not adversely impact Israel’s
18 Qualitative Military Edge (QME), as defined in sec-
19 tion 36(h) of this Act; and

1 “(2) the sale is consistent with the national se-
2 curity interests of the United States and its commit-
3 ments to allies in the region.

4 “(b) FORM.—The certification required under sub-
5 section (a) shall be unclassified but may include a classi-
6 fied annex.

7 “(c) WAIVER.—The President may waive the certifi-
8 cation requirement under subsection (a) if the President
9 determines that an emergency exists which requires the
10 proposed sale in the national security interest of the
11 United States, and the President submits a detailed jus-
12 tification of such determination to the appropriate con-
13 gressional committees within 15 days of such a waiver.

14 “(d) APPROPRIATE CONGRESSIONAL COMMITTEES
15 DEFINED.—In this section, the term ‘appropriate congres-
16 sional committees’ means—

17 “(1) the Committee on Foreign Relations of the
18 Senate; and

19 “(2) the Committee on Foreign Affairs of the
20 House of Representatives.”.

