

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3563
OFFERED BY MR. PERRY OF PENNSYLVANIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Providing Our Re-
3 gional Companions Upgraded Protection in Nefarious En-
4 vironments Act” or the “PORCUPINE Act”.

**5 SEC. 2. MODIFICATION OF CERTIFICATION AND REPORT-
6 ING REQUIREMENTS UNDER THE ARMS EX-
7 PORT CONTROL ACT.**

8 (a) IN GENERAL.—The Arms Export Control Act (22
9 U.S.C. 2751 et seq.) is amended—

10 (1) in section 3 (22 U.S.C. 2753)—

11 (A) in subsection (b)(2), by inserting “Tai-
12 wan,” before “or the”; and

13 (B) in subsection (d)—

14 (i) in paragraph (2)(B), by striking
15 “or New Zealand” and inserting “New
16 Zealand, or Taiwan”;

1 (ii) in paragraph (3)(A)(i), by striking
2 “or New Zealand” and inserting “New
3 Zealand, or Taiwan”; and

4 (iii) in paragraph (5), by striking “or
5 New Zealand” and inserting “New Zea-
6 land, or Taiwan”;

7 (2) in section 21 (22 U.S.C. 2761)—

8 (A) in subsection (e)(2)(A), by striking “or
9 New Zealand” and inserting “New Zealand, or
10 Taiwan”; and

11 (B) in subsection (h)—

12 (i) in paragraph (1)(A), by striking
13 “or Israel” and inserting “Israel, or Tai-
14 wan”; and

15 (ii) in paragraph (2), by striking “or
16 Israel” and inserting “Israel, or Taiwan”;

17 (3) in section 36 (22 U.S.C. 2776)—

18 (A) in subsection (b)—

19 (i) in paragraph (1), in the undesig-
20 nated matter following subparagraph (P),
21 in the second sentence, by striking “or
22 New Zealand” and inserting “New Zea-
23 land, or Taiwan”;

1 (ii) in paragraph (2), by striking “or
2 New Zealand” and inserting “New Zea-
3 land, or Taiwan”; and

4 (iii) in paragraph (6), in the matter
5 preceding subparagraph (A), by striking
6 “or New Zealand” and inserting “New
7 Zealand, or Taiwan”;

8 (B) in subsection (c)—

9 (i) in paragraph (2)(A), by striking
10 “or New Zealand” and inserting “New
11 Zealand, or Taiwan”; and

12 (ii) in paragraph (5), by striking “or
13 New Zealand” and inserting “New Zea-
14 land, or Taiwan”; and

15 (C) in subsection (d)(2)(A), by striking “or
16 New Zealand” and inserting “New Zealand, or
17 Taiwan”;

18 (4) in section 62(c)(1) (22 U.S.C. 2796a(c)(1)),
19 by striking “or New Zealand” and inserting “New
20 Zealand, or Taiwan”; and

21 (5) in section 63(a)(2) (22 U.S.C.
22 2796b(a)(2)), in the matter preceding subparagraph
23 (A), by striking “or New Zealand” and inserting
24 “New Zealand, or Taiwan”.

1 (b) REPORT.—Not later than two years after the date
2 of the enactment of this Act, and every two years there-
3 after, the Secretary of State shall submit to the Com-
4 mittee on Foreign Affairs of the House of Representatives
5 and the Committee on Foreign Relations of the Senate
6 a report on the implementation and effectiveness of the
7 amendments made by this section.

8 **SEC. 3. FEASIBILITY ASSESSMENT OF EXPEDITED LICENS-**
9 **ING FOR ALLIES TRANSFERRING MILITARY**
10 **EQUIPMENT TO TAIWAN.**

11 (a) IN GENERAL.—Not later than 90 days after the
12 date of the enactment of this Act, the Secretary of State
13 shall conduct an assessment of the feasibility of estab-
14 lishing an expedited decisionmaking process for third
15 party transfers of defense articles and defense services
16 from North Atlantic Treaty Organization member coun-
17 tries, Japan, the Commonwealth of Australia, the Repub-
18 lic of Korea, New Zealand, or the State of Israel to Tai-
19 wan, including transfers and re-transfers of United
20 States-origin grant, foreign military sales, and direct com-
21 mercial sales end-items not covered by an exemption under
22 the International Traffic in Arms Regulations under sub-
23 chapter M of chapter I of title 22, Code of Federal Regula-
24 tions.

1 (b) ELEMENTS.—The assessment required by sub-
2 section (a) shall include an assessment of the following:

3 (1) The availability of such an expedited deci-
4 sion-making process for classified and unclassified
5 items.

6 (2) The feasibility of requiring—

7 (A) the approval, return, or denial of any
8 licensing application to export defense articles
9 and defense services that is related to a govern-
10 ment-to-government agreement within 15 days
11 after the submission of such application; and

12 (B) the completion of the review of all
13 other licensing requests not later than 30 days
14 after the submission of such application.

15 (c) BRIEFING.—Not later than 180 days after the
16 date of the enactment of this Act, the Secretary of State
17 shall provide to the Committee on Foreign Affairs of the
18 House of Representatives and the Committee on Foreign
19 Relations of the Senate a briefing on the outcome of the
20 assessment required by subsection (a).

21 (d) DEFENSE ARTICLES; DEFENSE SERVICES DE-
22 FINED.—In this section, the terms “defense article” and
23 “defense service” have the meanings given such terms in
24 section 644 of the Foreign Assistance Act of 1961 (22
25 U.S.C. 2403).

1 **SEC. 4. RULE OF CONSTRUCTION.**

2 Nothing in this Act may be construed to alter the
3 policy of the United States toward Taiwan as specified in
4 the Taiwan Relations Act (22 U.S.C. 3301 et seq.).

5 **SEC. 5. SUNSET.**

6 This Act shall cease to have effect on the date that
7 is 7 years after the date of the enactment of this Act.

 Amend the title so as to read: “A bill to amend the
Arms Export Control Act to include Taiwan among the
list of recipient countries with respect to which shorter
certification and reporting periods apply and to expedite
licensing for allies transferring military equipment to
Taiwan, and for other purposes.”.

