

119TH CONGRESS
1ST SESSION

H. R. 4216

To direct the Secretary of State, in coordination with the Secretary of Defense, to carry out a review of the list of defense articles and services required to be transferred under the foreign military sales program as opposed to direct commercial sale (FMS-Only List).

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2025

Mrs. BIGGS of South Carolina (for herself, Mr. ZINKE, Mr. LAWLER, Mr. BAUMGARTNER, Mr. MCCORMICK, and Mr. MOYLAN) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To direct the Secretary of State, in coordination with the Secretary of Defense, to carry out a review of the list of defense articles and services required to be transferred under the foreign military sales program as opposed to direct commercial sale (FMS-Only List).

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “FMS-Only List Review
5 Act”.

6 **SEC. 2. REVIEW AND REPORT.**

7 (a) REVIEW.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of the enactment of this Act, and annually
3 thereafter, the Secretary of State, in coordination
4 with the Secretary of Defense, shall carry out a re-
5 view of defense articles and defense services that are
6 eligible to be provided under the Foreign Military
7 Sales program under chapter 2 of the Arms Export
8 Control Act, but not eligible to be provided under di-
9 rect commercial sales under section 38 of such Act
10 in order to identify those articles and services that
11 should be eligible to be provided under direct com-
12 mercial sales.

13 (2) MATTERS TO BE ADDRESSED.—The review
14 required by this subsection shall address the fol-
15 lowing with respect to each defense article and de-
16 fense services identified under this subsection:

17 (A) The length of time to complete a
18 transfer of the article or service under the For-
19 eign Military Sales program as compared to a
20 transfer under a direct commercial sale.

21 (B) The impact on the workload for the
22 Department of State and Department of De-
23 fense by reason of a transfer of the article or
24 service under a direct commercial sale.

1 (C) The benefits to United States national
2 security and United States competitiveness by
3 reason of a transfer of the article or service
4 under a direct commercial sale.

5 (3) CONSULTATION.—The Secretary of State
6 shall consult with the Defense Trade Advisory
7 Group of the Department of Defense and other in-
8 terested parties in conducting the review required by
9 this subsection.

10 (b) REPORT.—

11 (1) IN GENERAL.—Not later than 30 days after
12 the completion of each review required by subsection
13 (a), the Secretary of State, in coordination of the
14 Secretary of Defense, shall submit to the appro-
15 priate congressional committees a report that con-
16 tains the results of the review, including—

17 (A) the criteria used to identify defense ar-
18 ticles and defense services under this subsection
19 under the current review; and

20 (B) an identification of those defense arti-
21 cles and defense services that have been newly
22 identified or no longer identified under the cur-
23 rent review and the reasons therefor.

1 (2) FORM.—The report required by this sub-
2 section shall be submitted in unclassified form, but
3 may contain a classified annex.

4 (3) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES DEFINED.—In this subsection, the term “ap-
6 propriate congressional committees” means—

7 (A) the Committee on Foreign Affairs and
8 the Committee on Armed Services of the House
9 of Representatives; and

10 (B) the Committee on Foreign Relations
11 and the Committee on Armed Services of the
12 Senate.

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