

Calendar No. 235

119TH CONGRESS
1ST SESSION

S. 2130

To make improvements to the AUKUS partnership, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2025

Mr. RICKETTS (for himself, Mr. KAINE, Mr. CORNYN, Mr. COONS, Mrs. FISCHER, Mr. MURPHY, Mr. SCOTT of Florida, Mr. SULLIVAN, Ms. ERNST, Mr. BENNET, Ms. ROSEN, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

OCTOBER 30, 2025

Reported by Mr. RISCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To make improvements to the AUKUS partnership, and
for other purposes.

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 “AUKUS Improvement
5 Act of 2025”.

1 **SEC. 2. FLEXIBILITY WITH RESPECT TO CERTAIN ARMS EX-**
2 **PORT CONTROL ACT AND OTHER ARMS**
3 **TRANSFER REQUIREMENTS.**

4 Section 38(1) of the Arms Export Control Act (22
5 U.S.C. 2778(1)) is amended by adding at the end the fol-
6 lowing new paragraph:

7 “(8) EXEMPTION FROM CERTAIN REQUIRE-
8 MENTS.—

9 “(A) IN GENERAL.—Defense articles sold
10 by the United States under this Act may be re-
11 exported, retransferred or temporarily imported
12 exclusively between the Government of Aus-
13 tralia, the Government of the United Kingdom,
14 or entities eligible under section 126.7(b)(2) of
15 title 22 of the Code of Federal Regulations, or
16 successor regulations. Such transfers shall not
17 require the consent of the President under sec-
18 tion 3(a)(2) of this Act, or under section
19 505(a)(1) of the Foreign Assistance Act of
20 1961 (22 U.S.C. 2314(a)(1)(B)).

21 “(B) INTRA-COMPANY, INTRA-ORGANIZA-
22 TIONAL, AND INTRA-GOVERNMENTAL TRANS-
23 FERS.—Intra-company, intra-organization, and
24 intra-governmental transfers related to defense
25 articles and defense services described under
26 subparagraph (A) are authorized between offi-

1 cers, employees, and agents who satisfy section
 2 120.64 of title 22 of the Code of Federal Regu-
 3 lations, or successor regulations, including dual
 4 or third country nationals who satisfy section
 5 126.18 of title 22 of the Code of Federal Regu-
 6 lations, or successor regulations.”.

7 **SEC. 3. ELIMINATION OF CERTIFICATION REQUIREMENT**
 8 **FOR COMMERCIAL TECHNICAL ASSISTANCE**
 9 **OR MANUFACTURING LICENSE AGREEMENTS**
 10 **INVOLVING AUSTRALIA AND THE UNITED**
 11 **KINGDOM.**

12 Section 36(d)(2) of the Arms Export Control Act (22
 13 U.S.C. 2776(d)(2)) is amended—

14 (1) by redesignating subparagraphs (A) and
 15 (B) as clauses (i) and (ii), respectively;

16 (2) by striking “A certification” and inserting
 17 “(A) A certification”;

18 (3) in clause (i), as redesignated by paragraph
 19 (1), by striking “North Atlantic Treaty Organization
 20 or Australia, Japan” and inserting “North Atlantic
 21 Treaty Organization (excluding the United King-
 22 dom) or Japan”; and

23 (4) by adding at the end the following new sub-
 24 paragraph:

1 ~~“(B) A certification under this subsection shall~~
 2 ~~not be required in the case of an agreement for or~~
 3 ~~in Australia or the United Kingdom.”.~~

4 **SECTION 1. SHORT TITLE.**

5 *This Act may be cited as the “AUKUS Improvement*
 6 *Act of 2025”.*

7 **SEC. 2. FLEXIBILITY WITH RESPECT TO CERTAIN ARMS EX-**
 8 **PORT CONTROL ACT AND OTHER ARMS**
 9 **TRANSFER REQUIREMENTS.**

10 *Section 38(l) of the Arms Export Control Act (22*
 11 *U.S.C. 2778(l)) is amended by adding at the end the fol-*
 12 *lowing new paragraph:*

13 ~~“(8) EXEMPTION FROM CERTAIN REQUIRE-~~
 14 ~~MENTS.—~~

15 ~~“(A) IN GENERAL.—Defense articles sold by~~
 16 ~~the United States under this Act, whether pursu-~~
 17 ~~ant to the exemption authorized under this sec-~~
 18 ~~tion or identical to defense articles eligible for~~
 19 ~~export under that exemption, may be reexported,~~
 20 ~~retransferred or temporarily imported exclusively~~
 21 ~~between the Government of Australia, the Gov-~~
 22 ~~ernment of the United Kingdom, or entities eligi-~~
 23 ~~ble under section 126.7(b)(2) of title 22 of the~~
 24 ~~Code of Federal Regulations, or successor regula-~~
 25 ~~tions, notwithstanding the requirement for the~~

1 *consent of the President under section 3(a)(2) of*
2 *this Act, or under section 505(a)(1) of the For-*
3 *oreign Assistance Act of 1961 (22 U.S.C.*
4 *2314(a)(1)(B).*

5 “(B) *INTRA-COMPANY, INTRA-ORGANIZA-*
6 *TIONAL, AND INTRA-GOVERNMENTAL TRANS-*
7 *FERS.—Intra-company, intra-organization, and*
8 *intra-governmental transfers related to defense*
9 *articles and defense services described under sub-*
10 *paragraph (A) are authorized between officers,*
11 *employees, and agents who satisfy section 120.64*
12 *of title 22 of the Code of Federal Regulations, or*
13 *successor regulations, including dual or third*
14 *country nationals who satisfy section 126.18 of*
15 *title 22 of the Code of Federal Regulations, or*
16 *successor regulations.”.*

17 **SEC. 3. ELIMINATION OF CERTIFICATION REQUIREMENT**
18 **FOR COMMERCIAL TECHNICAL ASSISTANCE**
19 **OR MANUFACTURING LICENSE AGREEMENTS**
20 **INVOLVING AUSTRALIA AND THE UNITED**
21 **KINGDOM.**

22 *Manufacturing Licensing Agreements and Technical*
23 *Licensing Agreements for Australia and the United King-*
24 *dom that do not involve defense articles that are not subject*
25 *to the licensing exemption under section 38(l) of the Arms*

1 *Export Control Act (22 U.S.C. 2778(l)) are not subject to*
2 *the requirements for congressional notification pursuant to*
3 *section 36(d) of that Act (22 U.S.C. 2776(d)).*

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