

H.R.4986

*One Hundred Tenth Congress
of the
United States of America
AT THE SECOND SESSION*

Begun and held at the City of Washington on Thursday,
the third day of January, two thousand and eight

An Act

To provide for the enactment of the National Defense Authorization Act for Fiscal Year 2008, as previously enrolled, with certain modifications to address the foreign sovereign immunities provisions of title 28, United States Code, with respect to the attachment of property in certain judgments against Iraq, the lapse of statutory authorities for the payment of bonuses, special pays, and similar benefits for members of the uniformed services, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[Editor's note: only applicable section for export control included. For the complete text of H.R. 4986 please see:

SEC. 890. PREVENTION OF EXPORT CONTROL VIOLATIONS.

(a) Prevention of Export Control Violations- Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations requiring any contractor under a contract with the Department of Defense to provide goods or technology that is subject to export controls under the Arms Export Control Act or the Export Administration of 1979 (as continued in effect under the International Emergency Economic Powers Act) to comply with those Acts and applicable regulations with respect to such goods and technology, including the International Traffic in Arms Regulations and the Export Administration Regulations. Regulations prescribed under this subsection shall include a contract clause enforcing such requirement.

(b) Training on Export Controls- The Secretary of Defense shall ensure that any contractor under a contract with the Department of Defense to provide goods or technology that is subject to export controls under the Arms Export Control Act or the Export Administration of 1979 (as continued in effect under the International Emergency Economic Powers Act) is made aware of any relevant resources made available by the Department of State and the Department of Commerce to assist in compliance with the requirement established by subsection

(a) and the need for a corporate compliance plan and periodic internal audits of corporate performance under such plan.

(c) Report- Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report assessing the utility of--

(1) requiring defense contractors (or subcontractors at any tier) to periodically report on measures taken to ensure compliance with the International Traffic in Arms Regulations and the Export Administration Regulations;

(2) requiring periodic audits of defense contractors (or subcontractors at any tier) to ensure compliance with all provisions of the International Traffic in Arms Regulations and the Export Administration Regulations;

(3) requiring defense contractors to maintain a corporate training plan to disseminate information to appropriate contractor personnel regarding the applicability of the Arms Export Control Act and the Export Administration Act of 1979; and

(4) requiring a designated corporate liaison, available for training provided by the United States Government, whose primary responsibility would be contractor compliance with the Arms Export Control Act and the Export Administration Act of 1979.

(d) Definitions- In this section:

(1) EXPORT ADMINISTRATION REGULATIONS- The term 'Export Administration Regulations' means those regulations contained in sections 730 through 774 of title 15, Code of Federal Regulations (or successor regulations).

(2) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS- The term 'International Traffic in Arms Regulations' means those regulations contained in sections 120 through 130 of title 22, Code of Federal Regulations (or successor regulations).