

117TH CONGRESS
1ST SESSION

S. 814

To promote security partnership with Ukraine, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 17 (legislative day, MARCH 16), 2021

Mr. RISCH (for himself, Mr. MENENDEZ, Mr. PORTMAN, Mr. MURPHY, Mr. BARRASSO, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To promote security partnership with Ukraine, 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 “Ukraine Security Part-
5 nership Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Throughout its history, Ukraine has experi-
9 enced several long periods of occupation.

1 (2) Between 1919 and 1991, Ukraine was bru-
2 tally ruled by the Soviet Union, whose policy of agri-
3 cultural collectivization caused the Holodomor of
4 1932–1933, a man-made famine that resulted in the
5 death of at least 3,000,000 Ukrainians by starva-
6 tion.

7 (3) During the Nazi occupation of Ukraine ac-
8 companying World War II—

9 (A) approximately 3,500,000 Ukrainian ci-
10 vilians and 3,000,000 soldiers were killed; and

11 (B) approximately 1,500,000 Jews were
12 massacred.

13 (4) Ukraine declared its independence from
14 Moscow in 1991, after the collapse of the Soviet
15 Union.

16 (5) In the 1994 Budapest Memorandum, the
17 Russian Federation, the United States, and the
18 United Kingdom pledged to “respect the independ-
19 ence and sovereignty and the existing borders of
20 Ukraine” and “refrain from the threat or use of
21 force against the territorial integrity or political
22 independence of Ukraine” in exchange for Ukraine’s
23 surrender of its nuclear arsenal.

24 (6) From November 2004 through January
25 2005, thousands of Ukrainians took to the streets to

1 peacefully protest electoral fraud and widespread
2 corruption by the ruling elite in the 2004 Presi-
3 dential election, successfully triggering a re-vote, in
4 what became known as the Orange Revolution.

5 (7) During Ukraine's 2014 Revolution of Dignity,
6 or Euromaidan, the pro-Russian government of
7 President Viktor Yanukovych was forced to resign
8 after thousands of Ukrainians peacefully protested
9 Yanukovych's decision to reject a closer relationship
10 with the European Union and his continued systemic
11 corruption, and over 100 of those protestors were
12 killed by violent government suppression.

13 (8) Fearful of Ukraine's strengthened pro-
14 Western orientation after the Revolution of Dignity,
15 the Government of the Russian Federation, in viola-
16 tion of international law and in contravention of its
17 commitments in the Budapest Memorandum—

18 (A) sent undisclosed military personnel
19 into Ukraine's Autonomous Republic of Crimea
20 in February 2014 and has illegally occupied the
21 Crimean Peninsula for the past six years;

22 (B) sent covert, unmarked military per-
23 sonnel into the Ukrainian regions of Donetsk
24 and Luhansk in April 2014, instigating and

1 supporting a still-ongoing conflict that has cost
2 nearly 14,000 lives; and

3 (C) provided the Buk missile system used
4 by those Russia-backed forces to shoot down
5 Malaysian Airlines Flight 17 over eastern
6 Ukraine in July 2014, killing all 298 pas-
7 sengers and crew on board.

8 (9) Under Russian control, Crimean authorities
9 have kidnapped, imprisoned, and tortured Crimean
10 Tatars, opposition figures, activists, and other mi-
11 nority populations, and have persecuted religious mi-
12 norities by pressing false charges of terrorism and
13 deregistering religious centers.

14 (10) In September 2014, in an attempt to stop
15 the fighting that the Russian Federation had initi-
16 ated in eastern Ukraine, France, Germany, Ukraine,
17 the Russian Federation, the Organization for Secu-
18 rity and Cooperation (OSCE), and Russia-backed
19 forces from eastern Ukraine signed the Minsk Pro-
20 tocol.

21 (11) In February 2015, after the failure of the
22 initial Minsk Protocol, the Russian Federation com-
23 mitted to the Minsk II Agreement, the roadmap for
24 resolving the conflict in eastern Ukraine, signed by

1 the Governments of Ukraine, Russia, France, and
2 Germany.

3 (12) Despite these agreements, the Government
4 of the Russian Federation continues to violate
5 Ukrainian sovereignty through—

6 (A) manipulation of Ukraine’s dependence
7 on Russian natural gas, including cutting off
8 access in 2014, which deprived Ukraine of its
9 energy supply and transit fees;

10 (B) espionage and clandestine assassina-
11 tions on Ukrainian territory;

12 (C) continuous cyber warfare against the
13 Government of Ukraine and Ukrainian busi-
14 nesses, such as the NotPetya hack in 2017; and

15 (D) seizure of Ukrainian property and citi-
16 zens, including the November 2018 seizure in
17 the Kerch Strait of three Ukrainian naval ves-
18 sels and 24 Ukrainian officers on board those
19 vessels.

20 (13) In July 2018, Secretary of State Michael
21 R. Pompeo issued the Crimea Declaration and reit-
22 erated in February 2020 on the sixth anniversary of
23 Russia’s illegal occupation that “Crimea is
24 Ukraine”.

1 (14) On February 26, 2021, President Joseph
2 R. Biden confirmed that Crimea is Ukraine and the
3 United States does not and will never recognize Rus-
4 sia’s purported annexation of the peninsula.

5 (15) Since April 2014, at least 4,100 Ukrainian
6 soldiers have died fighting for their country against
7 the Russian Federation and Russia-backed forces,
8 while no less than 3,361 civilians have perished as
9 a result of that fighting.

10 (16) Despite Ukraine’s tumultuous history and
11 neighborhood, in under 30 years it has risen from
12 the collapse of the Soviet Union to become a devel-
13 oping democracy, steadily working to overcome its
14 Soviet legacy of oppression, oligarchic control, and
15 corruption.

16 (17) Running on a strong anti-corruption plat-
17 form, Volodymyr Zelensky won the 2019 presidential
18 election with 73 percent of the vote, and his political
19 party, Servant of the People, won a parliamentary
20 majority in the Ukrainian parliament.

21 (18) The OSCE confirmed the 2019 elections
22 were “competitive and fundamental freedoms were
23 generally respected”.

24 (19) Since 2014, the Government of Ukraine
25 has made difficult and substantial reforms in an ef-

1 fort to address corruption and more closely align
2 with the West, such as slimming and decentralizing
3 its bureaucracy, removing immunity from prosecu-
4 tion for Members of Parliament, reforming its gas,
5 pension, and procurement systems, and working to
6 adapt its military to the standards of the North At-
7 lantic Treaty Organization (NATO).

8 (20) Despite progress in reforming many areas
9 of Ukrainian governance, serious issues still remain,
10 particularly in the areas of corruption and rule of
11 law.

12 (21) The United States Government has con-
13 sistently supported Ukraine's democratic transition
14 and its fight against Russia-backed forces by assist-
15 ing its governance reform efforts, maintaining ro-
16 bust and coordinated sanctions against the Russian
17 Federation alongside the European Union, and pro-
18 viding the Ukrainian military with training and
19 equipment, including lethal defensive weaponry.

20 (22) In addition to the United States, the Eu-
21 ropean Union, European countries, and Canada have
22 provided substantial diplomatic, monetary, and mili-
23 tary support for Ukraine's democratic transition and
24 its fight against Russia-backed forces in eastern
25 Ukraine, and also have implemented and maintained

1 robust sanctions regimes against the Russian Fed-
2 eration for its illegal occupation of Crimea and its
3 active destabilization of Ukraine.

4 (23) the Government of Ukraine has steadfastly
5 supported the United States and European allies by
6 deploying troops to Iraq, Afghanistan, and NATO's
7 Kosovo Force (KFOR), allowing United States mili-
8 tary planes to refuel on Ukrainian soil, and trading
9 billions of dollars' worth of goods and services with
10 the United States.

11 (24) NATO has recently decided to include
12 Ukraine in its Enhanced Opportunities Partnership
13 in recognition of Ukraine's contributions to NATO
14 missions and efforts to reform its military in line
15 with NATO standards.

16 (25) Since the Russian Federation's 2014 inva-
17 sion of Ukraine, the United States Congress has
18 demonstrated its support for Ukraine through the
19 passage of legislation, including the Support for the
20 Sovereignty, Integrity, Democracy, and Economic
21 Stability of Ukraine Act of 2014 (Public Law 113–
22 95; 22 U.S.C. 8901 et seq.), the Ukraine Freedom
23 Support Act (Public Law 113–272; 22 U.S.C. 8921
24 et seq.), the Ukraine Security Assistance Initiative
25 established under section 1250 of the National De-

1 fense Authorization Act for Fiscal Year 2016 (Pub-
2 lic Law 114–92; 129 Stat. 1068), the Countering
3 America’s Adversaries Through Sanctions Act (Pub-
4 lic Law 115–44), and the Protecting Europe’s En-
5 ergy Security Act of 2019 (Public Law 116–92, title
6 LXXV), and the United States Congress continues
7 to demonstrate strong support for assisting Ukraine
8 in defending itself and deterring Russia.

9 **SEC. 3. SENSE OF CONGRESS.**

10 It is the sense of Congress that—

11 (1) Ukraine stands as a bulwark against the
12 malign influence of the Russian Federation in Eu-
13 rope, and robust United States support for Ukraine
14 is vital to United States national security and dem-
15 onstrates the commitment of the United States to
16 upholding a free and open international order;

17 (2) since Ukraine’s independence in 1991, the
18 Government and people of Ukraine have made sig-
19 nificant strides towards improved governance, rule of
20 law, anti-corruption measures, and economic re-
21 forms;

22 (3) Ukraine’s long-term viability is directly con-
23 nected to its efforts to reduce corruption and build
24 strong democratic institutions that are able to de-
25 fend against internal and external corrupt actors;

1 (4) the efforts and sacrifices of Ukrainian citi-
2 zens to determine their own fate after centuries of
3 oppression, through democratic representation and
4 governance reforms, is evidence of that country's
5 dedication to a free, independent, and democratic fu-
6 ture;

7 (5) Ukraine has proven itself to be a valuable
8 security partner of the United States, not simply a
9 recipient of assistance;

10 (6) it is in the national security interests of the
11 United States to continue and deepen its security
12 partnership with Ukraine, including through the
13 provision of both lethal and non-lethal assistance;

14 (7) the United States should continue to place
15 policy-based conditions on Ukraine's receipt of finan-
16 cial and military assistance, as that mechanism has
17 proven effective in incentivizing reforms in Ukraine;

18 (8) the United States should use its voice and
19 vote at NATO to encourage the adoption of a policy
20 by the Alliance that all of its member states will
21 refuse to recognize the illegal attempted annexation
22 of Crimea by the Russian Federation;

23 (9) the United States should continue to bolster
24 the capacity of the Ukrainian Navy as it strives to
25 fulfill the goals it set out in its "Strategy of the

1 Naval Forces of the Armed Forces of Ukraine
2 2035”;

3 (10) the military-focused technical, training,
4 maintenance, and logistical assistance provided by
5 the United States to Ukraine is as essential as the
6 military hardware provided to the country;

7 (11) all security assistance provided to Ukraine
8 should continue to be subject to rigorous vetting re-
9 quirements under section 620M of the Foreign As-
10 sistance Act of 1961 (22 U.S.C. 2378d) and security
11 cooperation under section 362 of title 10, United
12 States Code, including assistance provided to units
13 in the National Guard of Ukraine as well as all units
14 falling under the authority of the Ministry of De-
15 fense;

16 (12) the Office of Defense Cooperation at the
17 United States Embassy in Ukraine should be fully
18 staffed with officers who serve three-year terms in
19 order to administer the security assistance being
20 provided to the country;

21 (13) the Secretary of Defense should conduct
22 an assessment of the staffing resources of the Office
23 of Defense Cooperation and strongly consider pro-
24 viding additional staff to the Office of Defense Co-
25 operation in Ukraine;

1 (14) the enduring partnership between the
2 United States and Ukraine, including bipartisan
3 support for a sovereign, democratic, and whole
4 Ukraine through political, monetary, and military
5 assistance, remains strong and must continue to be
6 reaffirmed; and

7 (15) the United States should continue to
8 strongly support Ukraine’s ambitions to join the
9 Euro-Atlantic community of democracies.

10 **SEC. 4. STATEMENT OF POLICY.**

11 It is the policy of the United States—

12 (1) to refuse to recognize the attempted annex-
13 ation of Crimea by the Russian Federation, an ac-
14 tion that was taken in contravention of international
15 law;

16 (2) to utilize existing sanctions and other au-
17 thorities to deter malign actions by the Russian Fed-
18 eration in Ukraine, including the mandates and au-
19 thorities codified by the Countering America’s Ad-
20 versaries Through Sanctions Act (Public Law 115–
21 44);

22 (3) to work with our European allies to coordi-
23 nate strategies to curtail Russian malign influence in
24 Ukraine; and

1 (4) to support democratic, economic, and anti-
2 corruption reforms in Ukraine and the country's in-
3 tegration into Euro-Atlantic institutions.

4 **SEC. 5. STRATEGY ON UNITED STATES DIPLOMATIC SUP-**
5 **PORT FOR UKRAINE.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of the enactment of this Act, the Secretary of State
8 shall submit to the appropriate congressional committees
9 a report with a strategy on how the United States will
10 work to diplomatically support Ukraine during fiscal years
11 2022 through 2026.

12 (b) ELEMENTS.—The report required under sub-
13 section (a) shall include the following elements:

14 (1) A description of how relevant departments
15 and agencies of the United States Government will
16 work together to collectively support efforts by the
17 Government of Ukraine to deter Russian aggression
18 in the form of military incursions, cyber attacks, the
19 coercive use of energy resources, use of
20 passportization, and efforts to corrupt the Ukrainian
21 political and economic systems.

22 (2) A description of the United States current
23 efforts and strategy to support Ukrainian diplomatic
24 initiatives when they align with United States inter-
25 ests.

1 (3) A strategy on how the United States will
2 use its voice and vote at the United Nations, OSCE,
3 Council of Europe, NATO, and other relevant inter-
4 national bodies to support Ukraine and its reform
5 efforts.

6 (4) A strategy on how the United States will
7 assist Ukraine in bolstering its diplomatic, economic,
8 energy, and maritime relationships with key Black
9 Sea countries, including Bulgaria, Romania, Turkey,
10 and Georgia.

11 (5) A strategy on how the United States will
12 engage with Germany, France, Ukraine, and Russia
13 to advance the Normandy Format and Minsk Agree-
14 ments.

15 (6) A strategy on how the United States will
16 work with allies to continue to engage Ukraine to
17 ensure meaningful progress on democratic, eco-
18 nomic, and anti-corruption reforms.

19 (c) FORM.—The report required under subsection (a)
20 shall be submitted in unclassified form, but may contain
21 a classified annex.

1 **SEC. 6. UNITED STATES-EUROPE WORKING GROUP ON**
2 **UKRAINE.**

3 (a) IN GENERAL.—The Secretary of State should
4 seek to establish a United States-Europe Working Group
5 on Ukraine.

6 (b) REPRESENTATION.—The United States-Europe
7 Working Group on Ukraine should include high-level rep-
8 resentatives from the European Union, its institutions,
9 and relevant European governments, as appropriate, to
10 jointly prioritize, evaluate and coordinate economic and
11 policy reform assistance and support for Ukraine.

12 (c) TERMINATION.—The authorities authorized
13 under this section shall terminate on September 30 of the
14 fifth fiscal year beginning after the date of the enactment
15 of this Act.

16 **SEC. 7. SPECIAL ENVOY FOR UKRAINE.**

17 (a) ESTABLISHMENT.—The President should ap-
18 point, by and with the consent of the Senate, a Special
19 Envoy for Ukraine, who should report to the Assistant
20 Secretary of State for Europe and Eurasia.

21 (b) RANK.—The Special Envoy for Ukraine shall
22 have the rank and status of ambassador.

23 (c) RESPONSIBILITIES.—The Special Envoy for
24 Ukraine should—

25 (1) serve as the United States liaison to the
26 Normandy Format, tasked with leading the peace

1 process between Ukraine and the Russian Federa-
2 tion;

3 (2) facilitate diplomatic outreach to and dia-
4 logue with countries in the Black Sea region that,
5 like Ukraine, are faced with the impact of Russia's
6 growing militarization of the Sea;

7 (3) coordinate closely with the Chief of Mission
8 in Ukraine;

9 (4) coordinate with the United States-Europe
10 Working Group on Ukraine established pursuant to
11 section 6;

12 (5) coordinate with the OSCE Special Moni-
13 toring Mission to Ukraine; and

14 (6) provide the Committee on Foreign Relations
15 of the Senate and the Committee on Foreign Affairs
16 of the House of Representatives regular updates and
17 briefings on the status of peace negotiations.

18 (d) TERMINATION.—The Special Envoy for Ukraine
19 position authorized under subsection (a) shall terminate
20 5 years after the date of the enactment of this Act.

21 **SEC. 8. FOREIGN MILITARY FINANCING.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated for the Department of State
24 for each of fiscal years 2022 through 2026 \$300,000,000

1 for Foreign Military Financing (FMF) assistance to
2 Ukraine to assist the country in meeting its defense needs.

3 (b) AVAILABILITY OF FUNDS.—

4 (1) IN GENERAL.—Of the amount authorized to
5 be appropriated for each fiscal year pursuant to sub-
6 section (a), not more than \$150,000,000 shall be
7 made available until the Secretary of State makes
8 the certification described in paragraph (2) for such
9 fiscal year, including a detailed explanation justi-
10 fying the certification with respect to each of the
11 categories listed in subparagraphs (A) through (G)
12 of such paragraph. The certification shall be sub-
13 mitted to the appropriate congressional committees
14 in unclassified form, but may contain a classified
15 annex.

16 (2) CERTIFICATION.—The certification de-
17 scribed in this paragraph is a certification by the
18 Secretary of State, in coordination with the Sec-
19 retary of Defense, that the Government of Ukraine
20 has taken actions to—

21 (A) make defense institutional reforms, in
22 accordance with NATO standards;

23 (B) further strengthen civilian control of
24 the military;

1 (C) reform its state-owned arms produc-
2 tion sector;

3 (D) increase transparency and account-
4 ability in defense procurement;

5 (E) respect Verkhovna Rada efforts to ex-
6 ercise oversight of the Ministry of Defense and
7 military forces; and

8 (F) promote respect for the observation of
9 human rights as enshrined in the requirements
10 of section 620M of the Foreign Assistance Act
11 of 1961 (22 U.S.C. 2378d) within the security
12 forces of Ukraine.

13 (c) NOTICE TO CONGRESS.—Not later than 15 days
14 before providing assistance or support under pursuant to
15 subsection (a), the Secretary of State shall submit to the
16 appropriate congressional committees a notification con-
17 taining the following:

18 (1) A detailed description of the assistance or
19 support to be provided, including—

20 (A) the objectives of such assistance or
21 support;

22 (B) the budget for such assistance or sup-
23 port; and

24 (C) the expected or estimated timeline for
25 delivery of such assistance or support.

1 (2) A description of such other matters as the
2 Secretary considers appropriate.

3 (d) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that assistance provided under this section should—

5 (1) prioritize the procurement of vessels for the
6 Ukrainian Navy and other articles that bolster the
7 capacity of the Ukrainian Navy to counter Russian
8 maritime aggression and maintain the freedom of in-
9 nocent passage throughout the Black Sea; and

10 (2) ensure adequate planning for maintenance
11 for any equipment provided.

12 (e) AUTHORITY TO PROVIDE LETHAL ASSIST-
13 ANCE.—The Secretary of State is authorized to provide
14 lethal assistance under this section, including anti-armor
15 weapon systems, mortars, crew-served weapons and am-
16 munition, grenade launchers and ammunition, anti-tank
17 weapons systems, anti-ship weapons systems, anti-aircraft
18 weapons systems, and small arms and ammunition.

19 (f) TRANSFER AUTHORITY.—The Secretary of De-
20 fense may transfer amounts appropriated or otherwise
21 made available for assistance under section 333 of title
22 10, United States Code, to the Department of State to
23 be made available for Foreign Military Finance assistance
24 to Ukraine.

1 **SEC. 9. EXPEDITED EXCESS DEFENSE ARTICLES TRANSFER**
2 **PROGRAM.**

3 During fiscal years 2022 through 2026, the delivery
4 of excess defense articles to Ukraine shall be given the
5 same priority as that given other countries and regions
6 under section 516(c)(2) of the Foreign Assistance Act of
7 1961 (22 U.S.C. 2321j(c)(2)).

8 **SEC. 10. STRATEGY ON EXCESS DEFENSE ARTICLES FROM**
9 **ALLIES.**

10 (a) IN GENERAL.—Not later than 90 days after the
11 date of the enactment of this Act, the Secretary of State
12 in consultation with the Secretary of Defense, shall submit
13 to the appropriate congressional committees a classified
14 strategy on how the United States will encourage third
15 countries to donate excess defense equipment to Ukraine.

16 (b) ELEMENTS.—The report required under sub-
17 section (a) shall include the following elements:

18 (1) A listing of all friendly and allied nations
19 that have excess defense material that may be com-
20 patible with the needs and systems utilized by the
21 Armed Forces of Ukraine.

22 (2) A description of the diplomatic efforts un-
23 dertaken by the United States Government to en-
24 courage allied nations to donate their excess defense
25 articles to Ukraine on an expedited basis.

1 **SEC. 11. IMET COOPERATION WITH UKRAINE.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
3 authorized to be appropriated to the Department of State
4 \$4,000,000 for each of fiscal years 2022 through 2026
5 for International Military Education and Training
6 (IMET) assistance for Ukraine. The assistance shall be
7 made available for the following purposes:

8 (1) Training of future leaders.

9 (2) Fostering a better understanding of the
10 United States.

11 (3) Establishing a rapport between the United
12 States Armed Forces and Ukraine’s military to build
13 partnerships for the future.

14 (4) Enhancement of interoperability and capa-
15 bilities for joint operations.

16 (5) Focusing on professional military education,
17 civilian control of the military, and human rights.

18 (b) AVAILABILITY OF FUNDS.—

19 (1) IN GENERAL.—Of the amount authorized to
20 be appropriated for each fiscal year pursuant to sub-
21 section (a), not more than \$3,000,000 may be made
22 available until the Secretary of State, in consultation
23 with the Secretary of Defense, makes the certifi-
24 cation described in paragraph (2) to the Committee
25 on Foreign Relations of the Senate and the Foreign
26 Affairs Committee of the House of Representatives,

1 including a detailed explanation justifying the cer-
2 tification with respect to each of the categories listed
3 in subparagraphs (A) through (G) of such para-
4 graph. The certification shall be submitted to the
5 appropriate congressional committees in unclassified
6 form, but may contain a classified annex.

7 (2) CERTIFICATION.—The certification de-
8 scribed in this paragraph is a certification by the
9 Secretary of State, in coordination with the Sec-
10 retary of Defense, that the Government of Ukraine
11 has taken actions to—

12 (A) make defense institutional reforms, in
13 accordance with NATO standards;

14 (B) further strengthen civilian control of
15 the military;

16 (C) reform its state-owned arms produc-
17 tion sector;

18 (D) increase transparency and account-
19 ability in defense procurement;

20 (E) respect Verkhovna Rada efforts to ex-
21 ercise oversight of the Ministry of Defense and
22 military forces; and

23 (F) promote respect for the observation of
24 human rights as enshrined in the requirements
25 of section 620M of the Foreign Assistance Act

1 of 1961 (22 U.S.C. 2378d) within the security
2 forces of Ukraine.

3 (c) NOTICE TO CONGRESS.—Not later than 15 days
4 before providing assistance or support pursuant to sub-
5 section (a), the Secretary of State shall submit to the
6 Committee on Foreign Relations of the Senate and the
7 Committee on Foreign Affairs of the House of Representa-
8 tives a notification containing the following elements:

9 (1) A detailed description of the assistance or
10 support to be provided, including—

11 (A) the objectives of such assistance or
12 support;

13 (B) the budget for such assistance or sup-
14 port; and

15 (C) the expected or estimated timeline for
16 delivery of such assistance or support.

17 (2) A description of such other matters as the
18 Secretary considers appropriate.

19 **SEC. 12. STRATEGY ON IMET PROGRAMMING IN UKRAINE.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that the Government of Ukraine should fully utilize
22 the United States IMET program, encourage eligible offi-
23 cers and civilian leaders to participate in the training, and
24 promote successful graduates to positions of prominence
25 in the Ukrainian Armed Forces.

1 (b) IN GENERAL.—Not later than 180 days after the
2 date of the enactment of this Act, the Secretary of State
3 shall submit to the appropriate congressional committees
4 a strategy for the implementation of the IMET program
5 in Ukraine authorized under section 11.

6 (c) ELEMENTS.—The strategy required under sub-
7 section (a) shall include the following elements:

8 (1) A clear plan, developed in close consultation
9 with the Ukrainian Ministry of Defense and the
10 Armed Forces of Ukraine, for how the IMET pro-
11 gram will be used by the United States Government
12 and the Government of Ukraine to propel program
13 graduates to positions of prominence in support of
14 the Ukrainian military's reform efforts in line with
15 NATO standards.

16 (2) An assessment of the education and train-
17 ing requirements of the Ukrainian military and clear
18 recommendations for how IMET graduates should
19 be assigned by the Ukrainian Ministry of Defense
20 upon completion of education or training.

21 (3) An accounting of the current combat re-
22 quirements of the Ukrainian military and an assess-
23 ment of the viability of alternative mobile training
24 teams, distributed learning, and other flexible solu-
25 tions to reach such students.

1 (4) An identification of opportunities to influ-
 2 ence the next generation of leaders through attend-
 3 ance at United States staff and war colleges, junior
 4 leader development programs, and technical schools.

5 (d) FORM.—The strategy required under subsection
 6 (a) shall be submitted in unclassified form, but may con-
 7 tain a classified annex.

8 **SEC. 13. SENSE OF CONGRESS ON LOAN PROGRAM.**

9 It is the sense of Congress that—

10 (1) as appropriate, the United States Govern-
 11 ment should provide direct loans to Ukraine for the
 12 procurement of defense articles, defense services,
 13 and design and construction services pursuant to the
 14 authority of section 23 of the Arms Export Control
 15 Act (22 U.S.C. 2763) to support the further devel-
 16 opment of Ukraine’s military forces; and

17 (2) such loans should be considered an additive
 18 security assistance tool, and not a substitute for
 19 Foreign Military Financing for grant assistance or
 20 Ukraine Security Assistance Initiative programming.

21 **SEC. 14. STRATEGY TO PROTECT UKRAINE’S DEFENSE IN-**
 22 **DUSTRY FROM STRATEGIC COMPETITORS.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
 24 gress that the United States should work with the Govern-
 25 ment of Ukraine to ensure strategic assets and companies

1 in Ukraine’s defense industry are not subject to foreign
2 ownership, control, or undue influence by strategic com-
3 petitors to the United States, such as the People’s Repub-
4 lic of China (PRC).

5 (b) STRATEGY REQUIRED.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this Act, the Sec-
8 retary of Defense and the Secretary of State shall
9 jointly submit to the appropriate committees of Con-
10 gress a strategy to support Ukraine in protecting its
11 defense industry from predatory investments.

12 (2) ELEMENTS.—The strategy required under
13 paragraph (1) shall include the following elements:

14 (A) A description of the efforts by stra-
15 tegic competitors, such as the PRC, to acquire
16 strategic assets and companies in Ukraine’s de-
17 fense industry in a predatory manner and the
18 national security implications for Ukraine, the
19 United States, and other NATO allies and part-
20 ners.

21 (B) A description of vulnerable strategic
22 assets and companies in Ukraine’s defense in-
23 dustry that would benefit from foreign invest-
24 ments and joint ventures.

1 (C) A description of the reforms to
 2 Ukraine’s defense industry and export controls
 3 that are necessary to incentivize Western in-
 4 vestments in them.

5 (D) A strategy to promote, as appropriate,
 6 United States direct investment in and joint
 7 ventures with strategic companies in Ukraine’s
 8 defense industry to provide an alternative to
 9 PRC investments, and to engage like-minded al-
 10 lies and partners on these efforts.

11 (3) FORM.—The strategy required under para-
 12 graph (1) shall be submitted in classified form.

13 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
 14 FINED.—In this section, the term “appropriate commit-
 15 tees of Congress” means—

16 (1) the Committee on Foreign Relations and
 17 the Committee on Armed Services of the Senate; and

18 (2) the Committee on Foreign Affairs and the
 19 Committee on Armed Services of the House of Rep-
 20 resentatives.

21 **SEC. 15. APPROPRIATE CONGRESSIONAL COMMITTEES.**

22 In this Act, the term “appropriate congressional com-
 23 mittees” means—

24 (1) the Committee on Foreign Relations and
 25 the Committee on Appropriations of the Senate; and

- 1 (2) the Committee on Foreign Affairs and the
- 2 Committee on Appropriations of the House of Rep-
- 3 resentatives.

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