

117TH CONGRESS
2D SESSION

S. 3780

To provide security assistance for Ukraine, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 8 (legislative day, MARCH 7), 2022

Ms. ERNST (for herself, Mr. GRASSLEY, Mrs. BLACKBURN, and Mr. RUBIO)
introduced the following bill; which was read twice and referred to the
Committee on Foreign Relations

A BILL

To provide security assistance for 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. SECURITY ASSISTANCE FOR UKRAINE.**

4 (a) **AUTHORITY.**—

5 (1) **IN GENERAL.**—Subject to subsections (b)
6 and (c), the Secretary of Defense, in consultation
7 with the Secretary of State, may, as necessary to as-
8 sist Ukraine or a member country of the North At-
9 lantic Treaty Organization in the defense of its terri-
10 torial integrity—

1 (A) transfer to the military and security
2 forces of Ukraine, or of a member country of
3 the North Atlantic Treaty Organization, de-
4 fense articles, defense services, equipment, and
5 other defense support capabilities that have
6 been authorized, procured, and contracted by,
7 and are available to, the Department of De-
8 fense; and

9 (B) provide other security assistance to the
10 military and security forces of Ukraine or of a
11 member country of the North Atlantic Treaty
12 Organization.

13 (2) DEFENSE SUPPORT CAPABILITIES.—The
14 defense support capabilities referred to in paragraph
15 (1) include the following:

16 (A) Defensive lethal assistance, including
17 military aircraft, vehicles, weapons, and ammu-
18 nition.

19 (B) Intelligence, operational, logistical,
20 planning, communications, and other
21 sustainment capabilities.

22 (b) LIMITATIONS.—

23 (1) DETERMINATION.—The Secretary of De-
24 fense may only make a transfer or provide assistance
25 under subsection (a) if the Secretary determines

1 that making such a transfer or providing such as-
2 sistance will not negatively impact the military pre-
3 paredness of the United States.

4 (2) CERTAIN WITHDRAWALS.—The transfer au-
5 thority under subsection (a) shall be limited to capa-
6 bilities considered readily available by the logistics
7 community of interest of the Department of De-
8 fense, including capabilities referred to in that sub-
9 section that are stored and maintained by the Aero-
10 space Maintenance and Recovery Group.

11 (c) NOTICE TO CONGRESS.—

12 (1) IN GENERAL.—Not later than 15 days be-
13 fore making a transfer or providing assistance under
14 subsection (a), the Secretary of Defense shall submit
15 to the appropriate committees of Congress a notifi-
16 cation containing the following:

17 (A) A detailed description of the transfer
18 to be made or the assistance to be provided, in-
19 cluding—

20 (i) the budget for such transfer or as-
21 sistance; and

22 (ii) the expected or estimated timeline
23 for delivery of such transfer or assistance.

24 (B) Such other matters as the Secretary of
25 Defense considers appropriate.

1 (2) EXEMPTION.—Notwithstanding paragraph
 2 (1), if the Secretary of Defense determines that a
 3 transfer under subsection (a) is necessary to counter
 4 an existential threat to the sovereignty of Ukraine or
 5 a member country of the North Atlantic Treaty Or-
 6 ganization, the Secretary may submit notice of such
 7 transfer to the appropriate committees of Congress
 8 not later than 15 days after the date on which the
 9 transfer is made.

10 (3) APPROPRIATE COMMITTEES OF CON-
 11 GRESS.—In this subsection, the term “appropriate
 12 committees of Congress” means—

13 (A) the Committee on Armed Services, the
 14 Committee on Appropriations, and the Com-
 15 mittee on Foreign Relations of the Senate; and

16 (B) the Committee on Armed Services, the
 17 Committee on Appropriations, and the Com-
 18 mittee on Foreign Affairs of the House of Rep-
 19 resentatives.

20 (d) TERMINATION.—The authority in subsection (a)
 21 shall terminate on December 31, 2022.

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