

118TH CONGRESS
2D SESSION

H. R. 8237

To require a report relating to the provision of certain information in connection with the Russian invasion of Ukraine and the resulting conflict, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2024

Ms. SHERRILL (for herself, Mr. HIMES, Mr. KRISHNAMOORTHY, Mr. QUIGLEY, and Ms. TOKUDA) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require a report relating to the provision of certain information in connection with the Russian invasion of Ukraine and the resulting conflict, 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 “Defense Information
5 Sharing Review and Regional Tailoring Act of 2024”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The purposeful, targeted, and properly au-
4 thORIZED dissemination of covered information con-
5 tributed to negating the plans and intentions of the
6 Russian Federation in its unjust conflict with
7 Ukraine, saved Ukrainian lives, and led to a unified
8 transatlantic alliance.

9 (2) The purposeful, targeted, and properly au-
10 thORIZED dissemination of covered information by the
11 Secretary of Defense facilitated the provision of de-
12 fense articles and economic support to Ukraine and
13 other foreign partners of the United States in Eu-
14 rope, steeling such countries against the Russian in-
15 vasion of Ukraine occurring on February 24, 2022.

16 (3) The sharing of defense information to for-
17 eign partners of the United States is a high-impact
18 tool to provide decision advantage to the United
19 States and its foreign partners in times of rising
20 tensions, while aligning such partners to better le-
21 verage the support of, and to share economic, mili-
22 tary, and diplomatic burdens with, such partners.

23 (4) The sharing of information on emerging
24 threats, technology disruption and innovation, and
25 adversarial plans empowers foreign partners of the
26 United States to take coordinated action and ex-

1 pands the coalition of such partners, particularly in
2 peacetime or prior to any type of conflict.

3 (5) Risk-conscious, timely information sharing
4 practices are in place with foreign partners of the
5 United States before a crisis erupts. Such practices
6 should ensure the proper control and protection of
7 the shared information and allow for the familiariza-
8 tion and integration of the shared information into
9 the defense enterprise of the partner country.

10 (6) The sharing of defense and security infor-
11 mation deepens collaboration and provides a basis
12 for new joint initiatives and the increasing com-
13 petency of the security forces of partners of the
14 United States.

15 (7) Future conflicts will inevitably have eco-
16 nomic, technological, and social factors that merit
17 the sharing of new forms of tailored information to
18 secure the support of foreign partners of the United
19 States and support the objectives of the United
20 States and such partners.

21 (8) Strategic competition encompasses all fac-
22 tors of United States national security, and foreign
23 partners of the United States require tailored infor-
24 mation needs delivered in a timely, mission-focused
25 manner from peacetime to conflict.

1 **SEC. 3. REPORT RELATING TO PROVISION OF CERTAIN IN-**
2 **FORMATION IN CONNECTION WITH RUSSIAN**
3 **INVASION OF UKRAINE AND RESULTING CON-**
4 **FLICT.**

5 (a) REPORT.—

6 (1) SUBMISSION.—Not later than 120 days
7 after the date of the enactment of this Act, the Sec-
8 retary of Defense, in coordination with the Secretary
9 of State and the Director of National Intelligence,
10 shall submit to the appropriate congressional com-
11 mittees a report on the use and effectiveness of cov-
12 ered information lawfully provided by the United
13 States Government to the Government of Ukraine
14 and the governments of other partner countries in
15 Europe in connection with the Russian invasion of
16 Ukraine and the resulting conflict.

17 (2) MATTERS.—The report under paragraph
18 (1) shall address, in particular, the use and effec-
19 tiveness of classified, unclassified, and downgraded
20 covered information in written, verbal, and visual
21 forms, respectively, provided by the United States
22 Government to the foreign governments referred to
23 in such paragraph and shall include, at a minimum,
24 the following:

25 (A) An assessment of the effect and value
26 of the covered information so provided since

1 September 2021 in achieving the national secu-
2 rity, national defense, and foreign policy objec-
3 tives of the United States with respect to the
4 Russian invasion of Ukraine and the resulting
5 conflict.

6 (B) An assessment of—

7 (i) whether such provision by the
8 United States Government of covered in-
9 formation to, or use of such provided cov-
10 ered information by, such foreign govern-
11 ments has resulted in tangible national se-
12 curity, national defense, or foreign policy
13 benefits to the United States or the foreign
14 partners of the United States, including
15 any improved international relations, new
16 bilateral or multilateral programs, or other
17 actions demonstrating acceptance of
18 United States foreign policy objectives,
19 such as through participation in security
20 assistance and cooperation efforts, coordi-
21 nation of new policies, or issuing compat-
22 ible statements regarding foreign relations;

23 (ii) the effect and value of the lawful
24 provision of covered information by the
25 United States Government with respect to

1 the success of the Government of Ukraine
2 (including the Armed Forces of Ukraine
3 and the intelligence services of Ukraine) in
4 making decisions regarding the response
5 to, responding to, and defending against
6 the Russian invasion of Ukraine and the
7 resulting conflict; and

8 (iii) the ability of, and methods used
9 by, the Government of Ukraine and other
10 countries supporting Ukraine to safeguard
11 covered information and any new insights
12 derived from the passage of information
13 during the Russian invasion of Ukraine
14 and the resulting conflict.

15 (C) An assessment of—

16 (i) best practices regarding the dis-
17 semination of covered information by the
18 United States Government to the foreign
19 governments referred to in paragraph (1)
20 over the course of the Russian invasion of
21 Ukraine and resulting conflict and how
22 such best practices may be applied to fu-
23 ture crises outside of Europe; and

24 (ii) any plans or recommendations by
25 the Secretary of Defense regarding the fu-

1 ture provision of covered information to
2 the Government of Ukraine in connection
3 with such invasion and resulting conflict.

4 (D) An assessment of the internal proc-
5 esses and procedures of the Department of De-
6 fense, Department of State, and elements of the
7 intelligence community, respectively, governing
8 the dissemination of covered information to the
9 Government of Ukraine and partner countries
10 in Europe, including a description of—

11 (i) the specific types of materials dis-
12 seminated; and

13 (ii) how, if at all, such processes, pro-
14 cedures, and types of information dissemi-
15 nated changed over the course of the Rus-
16 sian invasion of Ukraine and the resulting
17 conflict to meet the national security, na-
18 tional defense, and foreign policy objectives
19 of the United States.

20 (E) An assessment of the applicability of
21 such processes, procedures, and types of cov-
22 ered information to be used by combatant com-
23 mands other than the United States European
24 Command, and any recommendations by the
25 Secretary of Defense to support the develop-

1 ment of a repeatable, secure, and appropriately
2 expeditious process for similar dissemination ef-
3 forts during peacetime, in the lead-up to a con-
4 flict, and in the immediate stages of a future
5 conflict in Europe or in the areas of responsi-
6 bility of such other combatant commands.

7 (F) An assessment of—

8 (i) how open-source covered informa-
9 tion provided to the Government of
10 Ukraine has supported the objectives of
11 such Government vis-à-vis the Russian in-
12 vasion of Ukraine and the resulting con-
13 flict;

14 (ii) how the Secretary of Defense re-
15 views and selects open-source covered in-
16 formation for use and prepares such infor-
17 mation to be provided to the Government
18 of Ukraine; and

19 (iii) how the review, selection, and use
20 of open-source information for provision to
21 foreign partners of the United States
22 might differ in a future crisis.

23 (G) A description of any new authorities or
24 resources, or improvements to existing authori-
25 ties or resources, that may further address any

1 of the matters under subparagraphs (A)
2 through (F).

3 (3) FORM.—The report under paragraph (1)
4 may be submitted in classified form, but if so sub-
5 mitted, shall include an unclassified annex.

6 (b) BRIEFING.—

7 (1) BRIEFING REQUIRED.—Not later than 180
8 days after the date of the enactment of this Act, the
9 Secretary of Defense shall provide to the appropriate
10 congressional committees a briefing on the matters
11 covered by the report under paragraph (1).

12 (2) CLOSED NATURE.—Any briefing under this
13 subsection may be a closed briefing, consistent with
14 the protection of intelligence sources and methods.

15 (c) DEFINITIONS.—In this section:

16 (1) The term “appropriate congressional com-
17 mittees” means—

18 (A) the Committee on Armed Services, the
19 Committee on Foreign Affairs, and the Perma-
20 nent Select Committee on Intelligence of the
21 House of Representatives; and

22 (B) the Committee on Armed Services, the
23 Committee on Foreign Relations, and the Select
24 Committee on Intelligence of the Senate.

1 (2) The term “covered information” means any
2 information, regardless of whether such information
3 is classified or unclassified, that relates to the Rus-
4 sian invasion of Ukraine, the resulting conflict, or
5 other associated matters (including such information
6 originating from the Department of Defense and in-
7 telligence information) and is provided by the United
8 States Government for the purpose of supporting
9 any national security, national defense, or foreign
10 policy objective of the United States vis-à-vis such
11 invasion, resulting conflict, or associated matters.

12 (3) The term “intelligence community” has the
13 meaning given that term in section 3 of the National
14 Security Act of 1947 (50 U.S.C. 3003).

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