

117TH CONGRESS  
2D SESSION

# S. 3780

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

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## 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

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## 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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