

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.**

**S. 814**

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

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. RISCH

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

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.

10 (2) Between 1919 and 1991, Ukraine was bru-  
11 tally ruled by the Soviet Union, whose policy of agri-  
12 cultural collectivization caused the Holodomor of

1 1932–1933, a man-made famine that resulted in the  
2 death of at least 3,000,000 Ukrainians by starva-  
3 tion.

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

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

8 (B) approximately 1,500,000 Jews were  
9 massacred.

10 (4) Ukraine declared its independence from  
11 Moscow in 1991, after the collapse of the Soviet  
12 Union.

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

21 (6) From November 2004 through January  
22 2005, thousands of Ukrainians took to the streets to  
23 peacefully protest electoral fraud and widespread  
24 corruption by the ruling elite in the 2004 Presi-

1       dential election, successfully triggering a re-vote, in  
2       what became known as the Orange Revolution.

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

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

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

20              (B) sent covert, unmarked military per-  
21      sonnel into the Ukrainian regions of Donetsk  
22      and Luhansk in April 2014, instigating and  
23      supporting a still-ongoing conflict that has cost  
24      nearly 14,000 lives; and

1           (C) provided the Buk missile system used  
2           by those Russia-led forces to shoot down Malay-  
3           sian Airlines Flight 17 over eastern Ukraine in  
4           July 2014, killing all 298 passengers and crew  
5           on board;

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

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

18          (11) In February 2015, after the failure of the  
19          initial Minsk Protocol, the Russian Federation com-  
20          mitted to the Minsk II Agreement, the roadmap for  
21          resolving the conflict in eastern Ukraine, signed by  
22          the Governments of Ukraine, Russia, France, and  
23          Germany.

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

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

8           (B) espionage and clandestine assassina-  
9 tions on Ukrainian territory;

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

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

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

23           (14) On February 26, 2021 President Joseph  
24 R. Biden confirmed that Crimea is Ukraine and the

1 United States does not and will never recognize Rus-  
2 sia's purported annexation of the peninsula.

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

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

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

19 (18) The OSCE confirmed the 2019 elections  
20 were "competitive and fundamental freedoms were  
21 generally respected".

22 (19) In March and April 2021, the Russian  
23 Federation amassed over 75,000 troops on its border  
24 with the Eastern Ukraine and in the occupied terri-  
25 tory of Crimea.

1           (20) Since 2014, the Government of Ukraine  
2           has made difficult and substantial reforms in an ef-  
3           fort to address corruption and more closely align  
4           with the West, such as slimming and decentralizing  
5           its bureaucracy, removing immunity from prosecu-  
6           tion for Members of Parliament, reforming its gas,  
7           pension, and procurement systems, and working to  
8           adapt its military to the standards of the North At-  
9           lantic Treaty Organization (NATO).

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

14           (22) The United States Government has con-  
15           sistently supported Ukraine's democratic transition  
16           and its fight against Russia-led forces by assisting  
17           its governance reform efforts, maintaining robust  
18           and coordinated sanctions against the Russian Fed-  
19           eration alongside the European Union, and pro-  
20           viding the Ukrainian military with training and  
21           equipment, including lethal defensive weaponry.

22           (23) In addition to the United States, the Eu-  
23           ropean Union, European countries, and Canada have  
24           provided substantial diplomatic, monetary, and mili-  
25           tary support for Ukraine's democratic transition and

1 its fight against Russia-led forces in eastern  
2 Ukraine, and also have implemented and maintained  
3 robust sanctions regimes against the Russian Fed-  
4 eration for its illegal occupation of Crimea and its  
5 active destabilization of Ukraine.

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

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

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



1 et seq.), the Ukraine Security Assistance Initiative  
2 established under section 1250 of the National De-  
3 fense Authorization Act for Fiscal Year 2016 (Pub-  
4 lic Law 114–92; 129 Stat. 1068), the Countering  
5 America’s Adversaries Through Sanctions Act (Pub-  
6 lic Law 115–44), and the Protecting Europe’s En-  
7 ergy Security Act of 2019 (Public Law 116–92, title  
8 LXXV), and the United States Congress continues  
9 to demonstrate strong support for assisting Ukraine  
10 in defending itself and deterring Russia.

11 **SEC. 3. SENSE OF CONGRESS.**

12 It is the sense of Congress that—

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

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

24 (3) Ukraine’s long-term viability is directly con-  
25 nected to its efforts to reduce corruption and build

1 strong democratic institutions that are able to de-  
2 fend against internal and external corrupt actors;

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

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

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

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

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

1           (9) the United States should support at the  
2 highest level and take an active part in the Ukrain-  
3 ian “Crimean Platform” initiative to ensure that the  
4 international community’s attention remains focused  
5 on—

6                   (A) the unacceptable violation of Ukraine’s  
7 territorial integrity in Crimea; and

8                   (B) working towards the reversal of such  
9 violation;

10           (10) the United States should continue to bol-  
11 ster the capacity of the Ukrainian Navy as it strives  
12 to fulfill the goals it set out in its “Strategy of the  
13 Naval Forces of the Armed Forces of Ukraine  
14 2035”;

15           (11) the military-focused technical, training,  
16 maintenance, and logistical assistance provided by  
17 the United States to Ukraine is as essential as the  
18 military hardware provided to the country;

19           (12) all security assistance provided to Ukraine  
20 should continue to be subject to rigorous vetting re-  
21 quirements under section 620M of the Foreign As-  
22 sistance Act of 1961 (22 U.S.C. 2378d) and security  
23 cooperation under section 362 of title 10, United  
24 States Code, including assistance provided to units  
25 in the National Guard of Ukraine as well as all units

1 falling under the authority of the Ministry of De-  
2 fense;

3 (13) the Office of Defense Cooperation at the  
4 United States Embassy in Ukraine should be fully  
5 staffed with officers who serve three-year terms in  
6 order to administer the security assistance being  
7 provided to the country;

8 (14) the Secretary of Defense should conduct  
9 an assessment of the staffing resources of the Office  
10 of Defense Cooperation and strongly consider pro-  
11 viding additional staff to the Office of Defense Co-  
12 operation in Ukraine;

13 (15) the United States should continue to sup-  
14 port Ukraine's NATO aspirations, including through  
15 work towards a Membership Action Plan;

16 (16) the enduring partnership between the  
17 United States and Ukraine, including bipartisan  
18 support for a sovereign, democratic, and whole  
19 Ukraine through political, monetary, and military  
20 assistance, remains strong and must continue to be  
21 reaffirmed; and

22 (17) the United States should continue to  
23 strongly support Ukraine's ambitions to join the  
24 Euro-Atlantic community of democracies.

1 **SEC. 4. STATEMENT OF POLICY.**

2 It is the policy of the United States—

3 (1) to refuse to recognize the attempted annex-  
4 ation of Crimea by the Russian Federation, an ac-  
5 tion that was taken in contravention of international  
6 law;

7 (2) to utilize existing sanctions and other au-  
8 thorities to deter malign actions by the Russian Fed-  
9 eration in or intended to harm Ukraine, including  
10 the mandates and authorities codified by—

11 (A) the Countering America’s Adversaries  
12 Through Sanctions Act (22 U.S.C. 9401 et  
13 seq.); and

14 (B) the Protecting Europe’s Energy Secu-  
15 rity Act of 2019 (title LXXV of Public Law  
16 116–92; 22 U.S.C. 9526 note);

17 (3) to work with our European allies to coordi-  
18 nate strategies to curtail Russian malign influence in  
19 Ukraine;

20 (4) to work with our allies and partners to con-  
21 duct more frequent multinational freedom of naviga-  
22 tion operations in the Black Sea in order to dem-  
23 onstrate support for Ukraine’s internationally-recog-  
24 nized maritime boundaries, to safeguard the  
25 unimpeded traffic of lawful commerce, and to push

1 back against excessive Russian Federation claims of  
2 sovereignty;

3 (5) to work with our allies and partners to dem-  
4 onstrate support for Ukraine’s territorial integrity,  
5 including its internationally-recognized land borders;  
6 and

7 (6) to support democratic, economic, and anti-  
8 corruption reforms in Ukraine and the country’s in-  
9 tegration into Euro-Atlantic institutions.

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

12 (a) IN GENERAL.—Not later than 90 days after the  
13 date of the enactment of this Act, the Secretary of State  
14 shall submit to the appropriate congressional committees  
15 a report with a strategy on how the United States will  
16 work to diplomatically support Ukraine during fiscal years  
17 2022 through 2026.

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

20 (1) A description of how relevant departments  
21 and agencies of the United States Government will  
22 work together to collectively support efforts by the  
23 Government of Ukraine to deter Russian aggression  
24 in the form of military incursions, cyber attacks, the  
25 coercive use of energy resources, the disruption of

1 lawful commerce and traffic to Ukrainian ports, use  
2 of passportization, and efforts to corrupt the  
3 Ukrainian political and economic systems.

4 (2) A description of the United States' current  
5 efforts and strategy to support Ukrainian diplomatic  
6 initiatives when they align with United States inter-  
7 ests.

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

13 (4) A strategy on how the United States will  
14 assist Ukraine in bolstering its diplomatic, economic,  
15 energy, and maritime relationships with key Black  
16 Sea countries, including Bulgaria, Romania, Turkey,  
17 and Georgia.

18 (5) A strategy on how the United States will  
19 engage with Germany, France, Ukraine, and Russia  
20 to advance the Normandy Format and Minsk Agree-  
21 ments.

22 (6) An assessment of Ukraine's recent progress  
23 on anti-corruption reforms and a strategy on how  
24 the United States will work with allies to continue

1 to engage Ukraine to ensure meaningful progress on  
2 democratic, economic, and anti-corruption reforms.

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

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

8 (a) IN GENERAL.—The Secretary of State should  
9 seek to establish a United States-Europe Working Group  
10 on Ukraine.

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

17 (c) TERMINATION.—The authorities authorized  
18 under this section shall terminate on September 30 of the  
19 fifth fiscal year beginning after the date of the enactment  
20 of this Act.

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

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



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

3 (c) RESPONSIBILITIES.—The Special Envoy for  
4 Ukraine should—

5 (1) serve as the United States liaison to the  
6 Normandy Format, tasked with leading the peace  
7 process between Ukraine and the Russian Federa-  
8 tion;

9 (2) facilitate diplomatic outreach to and dia-  
10 logue with countries in the Black Sea region that,  
11 like Ukraine, are faced with the impact of Russia’s  
12 growing militarization of the Sea ;

13 (3) coordinate closely with the Chief of Mission  
14 in Ukraine;

15 (4) coordinate with the United States-Europe  
16 Working Group on Ukraine established pursuant to  
17 section 6;

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

20 (6) provide the Committee on Foreign Relations  
21 of the Senate and the Committee on Foreign Affairs  
22 of the House of Representatives regular updates and  
23 briefings on the status of peace negotiations.

1 (d) TERMINATION.—The Special Envoy for Ukraine  
2 position authorized under subsection (a) shall terminate  
3 5 years after the date of the enactment of this Act.

4 **SEC. 8. FOREIGN MILITARY FINANCING.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
6 authorized to be appropriated for the Department of State  
7 for each of fiscal years 2022 through 2026 \$300,000,000  
8 for Foreign Military Financing (FMF) assistance to  
9 Ukraine to assist the country in meeting its defense needs.

10 (b) AVAILABILITY OF FUNDS.—

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

23 (2) CERTIFICATION.—The certification de-  
24 scribed in this paragraph is a certification by the  
25 Secretary of State, in coordination with the Sec-

1           retary of Defense, that the Government of Ukraine  
2           has taken actions to—

3                   (A) make defense institutional reforms, in  
4                   accordance with NATO standards;

5                   (B) further strengthen civilian control of  
6                   the military;

7                   (C) reform its state-owned arms produc-  
8                   tion sector;

9                   (D) increase transparency and account-  
10                  ability in defense procurement;

11                  (E) respect Verkhovna Rada efforts to ex-  
12                  ercise oversight of the Ministry of Defense and  
13                  military forces;

14                  (F) promote respect for the observation of  
15                  human rights as enshrined in the requirements  
16                  of section 620M of the Foreign Assistance Act  
17                  of 1961 (22 U.S.C. 2378d) within the security  
18                  forces of Ukraine; and

19                  (G) support the work of Ukraine's anti-  
20                  corruption bodies, including the High Anti-Cor-  
21                  ruption Court, National Anti-Corruption Bu-  
22                  reau, and the Special Anti-Corruption Prosecu-  
23                  tor's Office.

24           (c) NOTICE TO CONGRESS.—Not later than 15 days  
25           before providing assistance or support pursuant to sub-

1 section (a), the Secretary of State shall submit to the ap-  
2 propriate congressional committees a notification con-  
3 taining the following:

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

6 (A) the objectives of such assistance or  
7 support;

8 (B) the budget for such assistance or sup-  
9 port; and

10 (C) the expected or estimated timeline for  
11 delivery of such assistance or support.

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

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

16 (1) prioritize the procurement of vessels for the  
17 Ukrainian Navy and other articles that bolster the  
18 capacity of the Ukrainian Navy to counter Russian  
19 maritime aggression and maintain the freedom of in-  
20 nocent passage throughout the Black Sea; and

21 (2) ensure adequate planning for maintenance  
22 for any equipment provided.

23 (e) AUTHORITY TO PROVIDE LETHAL ASSIST-  
24 ANCE.—The Secretary of State is authorized to provide  
25 lethal assistance under this section, including anti-armor

1 weapon systems, mortars, crew-served weapons and am-  
2 munition, grenade launchers and ammunition, anti-tank  
3 weapons systems, anti-ship weapons systems, anti-aircraft  
4 weapons systems, and small arms and ammunition.

5 **SEC. 9. EXPEDITED EXCESS DEFENSE ARTICLES TRANSFER**  
6 **PROGRAM.**

7 During fiscal years 2022 through 2026, the delivery  
8 of excess defense articles to Ukraine shall be given the  
9 same priority as that given other countries and regions  
10 under section 516(c)(2) of the Foreign Assistance Act of  
11 1961 (22 U.S.C. 2321j(c)(2)).

12 **SEC. 10. STRATEGY ON EXCESS DEFENSE ARTICLES FROM**  
13 **ALLIES.**

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

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

22 (1) A listing of all friendly and allied nations  
23 that have excess defense material that may be com-  
24 patible with the needs and systems utilized by the  
25 Armed Forces of Ukraine.

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

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

6           (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
7           authorized to be appropriated to the Department of State  
8           \$4,000,000 for each of fiscal years 2022 through 2026  
9           for International Military Education and Training  
10          (IMET) assistance for Ukraine. The assistance shall be  
11          made available for the following purposes:

12           (1) Training of future leaders.

13           (2) Fostering a better understanding of the  
14          United States.

15           (3) Establishing a rapport between the United  
16          States Armed Forces and Ukraine’s military to build  
17          partnerships for the future.

18           (4) Enhancement of interoperability and capa-  
19          bilities for joint operations.

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

22          (b) NOTICE TO CONGRESS.—Not later than 15 days  
23          before providing assistance or support pursuant to sub-  
24          section (a), the Secretary of State shall submit to the  
25          Committee on Foreign Relations of the Senate and the

1 Committee on Foreign Affairs of the House of Representa-  
2 tives a notification containing the following elements:

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

5 (A) the objectives of such assistance or  
6 support;

7 (B) the budget for such assistance or sup-  
8 port; and

9 (C) the expected or estimated timeline for  
10 delivery of such assistance or support.

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

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

14 (a) SENSE OF CONGRESS.—It is the sense of Con-  
15 gress that the Government of Ukraine should fully utilize  
16 the United States IMET program, encourage eligible offi-  
17 cers and civilian leaders to participate in the training, and  
18 promote successful graduates to positions of prominence  
19 in the Ukrainian Armed Forces.

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

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

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

11           (2) An assessment of the education and train-  
12 ing requirements of the Ukrainian military and clear  
13 recommendations for how IMET graduates should  
14 be assigned by the Ukrainian Ministry of Defense  
15 upon completion of education or training.

16           (3) An accounting of the current combat re-  
17 quirements of the Ukrainian military and an assess-  
18 ment of the viability of alternative mobile training  
19 teams, distributed learning, and other flexible solu-  
20 tions to reach such students.

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



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

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

5 It is the sense of Congress that—

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

13 (2) such loans should be considered an additive  
14 security assistance tool, and not a substitute for  
15 Foreign Military Financing for grant assistance or  
16 Ukraine Security Assistance Initiative programming.

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

19 (a) SENSE OF CONGRESS.—It is the sense of Con-  
20 gress that the United States should work with the Govern-  
21 ment of Ukraine to ensure strategic assets and companies  
22 in Ukraine’s aerospace and defense sector are not subject  
23 to foreign ownership, control, or undue influence by stra-  
24 tegic competitors to the United States, such as the Peo-  
25 ple’s Republic of China (PRC). These efforts will require

1 support from across the Executive Branch and should le-  
2 verage all available tools and authorities.

3 (b) STRATEGY REQUIRED.—

4 (1) IN GENERAL.—Not later than 180 days  
5 after the date of the enactment of this Act, the  
6 President, acting through the Secretary of Defense  
7 and the Secretary of State and in consultation with  
8 the Secretary of the Treasury and the heads of other  
9 relevant Departments and agencies as the President  
10 may determine, shall submit to the appropriate com-  
11 mittees of Congress a strategy to support Ukraine in  
12 protecting its aerospace and defense industry from  
13 predatory investments.

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

16 (A) An assessment of the efforts by stra-  
17 tegic competitors, such as the PRC, to acquire  
18 strategic assets and companies in Ukraine's  
19 aerospace and defense sector and the national  
20 security implications for Ukraine, the United  
21 States, and other NATO allies and partners.

22 (B) An assessment of the vulnerabilities  
23 that strategic competitors of the United States  
24 exploit to acquire strategic assets in the  
25 Ukrainian aerospace and defense sector,

1 Ukraine's progress in addressing them, and  
2 United States initiatives to support these ef-  
3 forts such as assistance in strengthening  
4 Ukraine's investment screening and national se-  
5 curity vetting laws

6 (C) An assessment of Ukraine's efforts to  
7 make reforms necessary to incentivize Western  
8 investment in Ukraine's aerospace and defense  
9 sector and United States support for these ef-  
10 forts..

11 (D) A strategy to—

12 (i) promote, as appropriate, United  
13 States direct investment in Ukraine's aero-  
14 space and defense sector;

15 (ii) better leverage tools like debt fi-  
16 nancing, equity investments, and political  
17 risk insurance to incentivize greater par-  
18 ticipation by United States firms;

19 (iii) provide an alternative to PRC in-  
20 vestments; and

21 (iv) engage like-minded allies and  
22 partners on these efforts.

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

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

4 (1) the Committee on Foreign Relations and  
5 the Committee on Armed Services of the Senate; and

6 (2) the Committee on Foreign Affairs and the  
7 Committee on Armed Services of the House of Rep-  
8 resentatives.

9 **SEC. 15. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) IN GENERAL.—There is authorized to be appro-  
11 priated to the Department of State \$50,000,000 for each  
12 of the fiscal years 2022 through 2026 for the purposes  
13 described in subsection (b) with respect to Ukraine.

14 (b) USE OF FUNDS.—Amounts appropriated pursu-  
15 ant to subsection (a) may only be used—

16 (1) to strengthen Ukraine’s cyber security,  
17 cyber resilience and intellectual property enforce-  
18 ment, including expanding the United States  
19 Transnational and High Tech Crime Global Law  
20 Enforcement Network through International Com-  
21 puter Hacking and Intellectual Property Advisor or  
22 Intellectual Property Law Enforcement Coordinators  
23 to provide training and capacity building related to  
24 cyber crime and intellectual property crime;

1           (2) to provide support and training in Ukraine  
2 for—

3           (A) sectoral reforms related to banking  
4 and public finance management reform;

5           (B) the privatization of state-owned enter-  
6 prises;

7           (C) regulatory independence;

8           (D) subsidy reform;

9           (E) land reform;

10          (F) corporate governance; and

11          (G) foreign investment screening;

12          (3) to combat corruption, improve the rule of  
13 law, and otherwise strengthen independent legal in-  
14 stitutions, including by—

15          (A) expanding regional anti-corruption  
16 training and exchanges among Ukrainian Min-  
17 istry officials, law enforcement officers, judges,  
18 and prosecutors to build peer support, share  
19 best practices, maintain reform momentum, and  
20 protect reforms from capture;

21          (B) supporting regional training of United  
22 States Embassy personal responsible for sup-  
23 porting anti-corruption and the rule of law to  
24 improve their effectiveness in supporting the  
25 consolidation and expansion of reform;

1           (4) to respond to the humanitarian crises  
2           caused or aggravated by the invasion and occupation  
3           of Ukraine by the Russian Federation, including by  
4           supporting internally displaced persons and commu-  
5           nities in conflict-affected areas;

6           (5) to improve participatory legislative proc-  
7           esses in Ukraine, including through—

8                   (A) engagement with members of the  
9                   Verkhovna Rada;

10                   (B) training on government oversight, legal  
11                   education, political transparency and competi-  
12                   tion, and compliance with international obliga-  
13                   tions; and

14                   (C) supporting the development of profes-  
15                   sional legislative staff to advise and assist mem-  
16                   ber of the Verkhovna Rada and committees in  
17                   the execution of their duties and build legal and  
18                   policy expertise within the Verkhovna Rada;  
19                   and

20           (6) to further build the capacity of civil society,  
21           independent media, human rights, and other non-  
22           governmental organizations in Ukraine, with an em-  
23           phasis on—

24                   (A) building capacity outside of Kyiv; and

1 (B) regional civil society training and ex-  
2 change programs.

3 **SEC. 16. APPROPRIATE CONGRESSIONAL COMMITTEES.**

4 In this Act, the term “appropriate congressional com-  
5 mittees” means—

6 (1) the Committee on Foreign Relations and  
7 the Committee on Appropriations of the Senate; and

8 (2) the Committee on Foreign Affairs and the  
9 Committee on Appropriations of the House of Rep-  
10 resentatives.