

117TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To require the Secretary of Defense to replace equipment provided to Ukraine by certain member countries of the North Atlantic Treaty Organization.

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IN THE SENATE OF THE UNITED STATES

Mr. GRASSLEY (for himself and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To require the Secretary of Defense to replace equipment provided to Ukraine by certain member countries of the North Atlantic Treaty Organization.

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. REPLACEMENT OF DEFENSE EQUIPMENT, SUP-**  
4 **PORT CAPABILITIES, AND ARTICLES PRO-**  
5 **VIDED TO UKRAINE BY CERTAIN MEMBER**  
6 **COUNTRIES OF THE NORTH ATLANTIC TREA-**  
7 **TY ORGANIZATION.**

8 (a) IN GENERAL.—Subject to subsection (d), as soon  
9 as practicable, the Secretary of Defense shall, pursuant

1 to the authority provided in the Arms Export Control Act  
2 (22 U.S.C. 2751 et seq.), section 362 of title 10, United  
3 States Code, and the Foreign Assistance Act of 1961 (22  
4 U.S.C. 2151 et seq.), transfer to covered NATO allies  
5 equipment, defense support capabilities, and relevant de-  
6 fense articles that have been authorized, procured, and  
7 contracted by, and are available to, the Department of De-  
8 fense.

9 (b) PURPOSE.—The purpose of the transfers required  
10 by subsection (a) is to replace equipment provided by cov-  
11 ered NATO allies to Ukraine during the covered period  
12 to defend Ukraine against aggression and other malign in-  
13 fluence by the Russian Federation.

14 (c) INCLUSIONS.—The equipment, defense support  
15 capabilities, and relevant defense articles referred to in  
16 subsection (a) shall include—

- 17 (1) air defense systems;
- 18 (2) unmanned aerial vehicles;
- 19 (3) anti-ship missiles;
- 20 (4) military vehicles;
- 21 (5) ammunition; and
- 22 (6) weapons.

23 (d) CONSULTATION.—Before making a transfer  
24 under subsection (a), the Secretary of Defense shall con-

1 sult with the Secretary of State with respect to whether  
2 the transfer—

3 (1) aligns with United States foreign policy  
4 goals; and

5 (2) would result in any significant gap with re-  
6 spect to United States national security.

7 (e) DEFINITIONS.—In this section:

8 (1) COVERED NATO ALLY DEFINED.—The term  
9 “covered NATO ally” means any member country of  
10 the North Atlantic Treaty Organization with a gross  
11 domestic product per capita that is less than  
12 \$30,000, as of April 1, 2022.

13 (2) COVERED PERIOD.—The term “covered pe-  
14 riod” means the period beginning on January 1,  
15 2022, and ending on the date on which military hos-  
16 tilities by the Russian Federation in Ukraine cease.