



Updated March 28, 2022

## U.S. Security Assistance to Ukraine

In advance of Russia's attack on Ukraine, the Biden Administration and the 117<sup>th</sup> Congress had boosted security assistance to Ukraine and continue to consider further options. Since Russia launched its invasion in February 2022, the Biden Administration has authorized a total of \$1.35 billion to provide immediate security assistance "to help Ukraine meet the armored, airborne, and other threats it is facing."

In addition, the Ukraine Supplemental Appropriations Act, 2022 (P.L. 117-103, Division N) includes \$3.5 billion to replenish Department of Defense (DOD) equipment stocks that have been or are to be sent to Ukraine and \$650 million in Foreign Military Financing (FMF) for Ukraine and "countries impacted by the situation in Ukraine." Defense appropriations also include \$300 million for DOD's Ukraine Security Assistance Initiative (USAI).

Even prior to the start of the war, Ukraine was a leading recipient of U.S. military aid in Europe and Eurasia. From 2014, when Russia first invaded Ukraine, through March 2022, the United States has committed more than \$4 billion in State Department- and DOD-funded security assistance "to help Ukraine preserve its territorial integrity, secure its borders, and improve interoperability with NATO."

### Overview of Programs Since 2014

The United States has used a variety of security assistance programs and authorities to help build the defensive capacity of the Ukrainian Armed Forces (UAF) through train, equip, and advise efforts across multiple spending accounts. Two of the primary mechanisms are the State Department's FMF (22 U.S.C. §2763) and DOD's Ukraine Security Assistance Initiative (USAI; P.L. 114-92, §1250) (see **Table 1**).

USAI packages have included training, equipment, and advisory efforts to enhance Ukraine's defensive capabilities such as maritime domain awareness; operational safety and capacity of air force bases; and the lethality, command and control, and survivability of the UAF. USAI also supports cyber defense and strategic communications to counter Russian cyberattacks and misinformation. A large portion of annual USAI funds is contingent on DOD and the State Department certifying Ukraine's progress on key defense reforms.

The Presidential Drawdown Authority (PDA), in which the President can authorize the immediate transfer of articles and services from U.S. stocks without congressional approval in response to an "unforeseen emergency," also has provided defense items to Ukraine (Foreign Assistance Act, §506(a)(1)). In February and March 2022, the Biden Administration authorized drawdowns of, respectively, \$350 million, \$200 million, and \$800 million. In addition,

the Administration previously authorized a \$60 million drawdown in August 2021 and a \$200 million drawdown in December 2021.

Ukraine also has received assistance pursuant to DOD's security cooperation authorities, notably 10 U.S.C. §333 and 10 U.S.C. §332. Section 333 authorizes training, equipping, and small-scale military construction for specific types of operations. Section 332 promotes civilian control of the military and places civilian advisors from DOD in Ukraine's Ministry of Defense.

Since 2014, Ukraine also has received International Military Education and Training (IMET) assistance, which has provided professional military education at U.S. defense institutions for junior, mid-level, and senior Ukrainian military officers.

Through the Joint Multinational Training Group-Ukraine, established in 2015, the U.S. Army and National Guard, together with military trainers from U.S. allied states, provided training, mentoring, and doctrinal assistance to the UAF before the war (at a western Ukrainian training facility that was the target of a Russian missile strike in March 2022). The U.S. military also conducts joint military exercises with Ukraine. Separately, U.S. Special Operations Forces have trained and advised Ukrainian special forces. Other State Department- and DOD-funded security assistance has supported conventional weapons destruction, border security, law enforcement training, and counter-weapons of mass destruction capabilities.

### Provision of Defense Equipment

After Russia first invaded Ukraine in 2014, the Obama Administration provided Ukraine nonlethal security assistance, such as body armor, helmets, vehicles, night and thermal vision devices, heavy engineering equipment, advanced radios, patrol boats, rations, tents, counter-mortar radars, uniforms, medical kits, and other related items. In 2017, the Trump Administration announced U.S. willingness to provide lethal weapons to Ukraine.

Since 2018, Ukraine has used FMF, as well as some of its national funds, to procure U.S. defense equipment, including Javelin anti-armor missiles and Mark VI patrol boats, through the Foreign Military Sales (FMS) system. Ukraine also has used a combination of FMF and national funds to refurbish former U.S. Coast Guard Island-class patrol boats provided through the Excess Defense Articles (EDA; 22 U.S.C. §2321j) program. In addition, Ukraine has purchased firearms, ammunition, ordnance, and other laser, imaging, or guidance equipment directly from U.S. suppliers via the Direct Commercial Sales process.

**Table I. Primary U.S. Security Assistance to Ukraine, FY2015-FY2022**

(selected account allocations, in millions of dollars)

	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022
Foreign Military Financing	47.0	85.0	99.0	95.0	115.0	115.0	115.0 (est.)	115.0 (req.)
Ukraine Security Assistance Initiative	-	226.5	148.6	195.5	214.8	256.7	275.0 (est.)	300.0 (appr.)

**Sources:** State Department Congressional Budget Justifications, Defense Department Budget Requests, and H.R. 2471.

**Notes:** Amount does not include security and nonproliferation assistance periodically provided via other accounts.

According to DOD, USAI packages have provided sniper rifles, rocket-propelled grenade launchers, counter-artillery radars, Mark VI patrol boats, electronic warfare detection and secure communications, satellite imagery and analysis capability, counter-unmanned aerial systems, air surveillance systems to monitor sovereign airspace, night vision devices, and equipment to support military medical treatment and combat evacuation procedures.

According to the White House, recent PDA packages have included Javelins and other anti-armor systems, Stinger anti-aircraft systems, tactical unmanned aerial systems, grenade launchers, small arms, various calibers of ammunition, and other essential nonlethal equipment. In addition, the Biden Administration notified Congress of its intent to redirect Mi-17 helicopters originally for Afghanistan through the EDA program.

Several NATO and European Union (EU) members also have provided weapons and other military assistance to Ukraine either immediately prior to or following Russia's invasion. In addition, the Biden Administration has authorized third-party transfers of U.S. defense articles and equipment from NATO and EU members to Ukraine.

## Discussion on Future Assistance

Since 2014, U.S. policy increasingly emphasized supporting the UAF's ability to deter Russia and defend its territorial integrity. Much of U.S. assistance has been focused on providing systems and capabilities that Ukraine's domestic defense industry cannot produce, as well as on increasing UAF resilience and ability to sustain combat operations. Before the war, the U.S. government had sent teams to evaluate Ukrainian abilities and needs. U.S. officials have continued, since the start of the war, to receive requests from Ukraine for greater assistance. Ukrainian officials have expressed interest in acquiring advanced systems, including fighter aircraft, anti-ship, and additional air defense and anti-missile capabilities.

## Recent Legislation

Prior to and immediately following Russia's attack on Ukraine, Congress has authorized or proposed increased funding levels for existing security assistance authorities and introduced multiple bills aimed at bolstering Ukraine's defensive capabilities.

In addition to the Ukraine Supplemental Appropriations Act, recently proposed legislation prioritizes Ukraine within existing mechanisms for the transfer, expedited procurement, and lease of defense items. The Defending Ukraine Sovereignty Act (DUSA) (S. 3488; H.R. 6470) would prioritize Ukraine over other countries for the transfer of defense articles through EDA in FY2022. The Never Yielding Europe's Territory (NYET) Act of 2022 (S. 3652; H.R. 6742) and the Guaranteeing Ukrainian Autonomy by Reinforcing its Defense (GUARD) Act (S. 3407; H.R. 6367) would add Ukraine to the list of priority

countries for EDA during FY2022-FY2023 and FY2022-FY2026, respectively.

The H.R. 6367 version of the GUARD Act also would temporarily allow for certain privileges, such as shorter congressional review periods and higher dollar thresholds in the FMS process, and would require the Administration to submit a strategy to encourage, reimburse, or otherwise incentivize third countries to donate excess defense equipment to Ukraine. The H.R. 6742 version of the NYET Act would include provisions to temporarily expedite the congressional review of arms sales to Ukraine.

DUSA would also require the State Department to report on plans to retransfer defense articles previously allocated for Afghanistan. The Ukraine Emergency Appropriations Act of 2022 (S. 3724) would appropriate \$1 billion to transfer small arms and light weapons previously allocated for the Afghan security forces, as well as additional U.S. defense equipment, to Ukraine.

DUSA and the NYET Act urge the U.S. government to utilize its lease authority, including no-cost leases. The Ukraine Democracy Defense Lend-Lease Act of 2022 (S. 3522; H.R. 6753) would modify provisions in the Lease of Defense Articles authority (22 U.S.C. §2796) to exclude Ukraine from certain requirements such as reimbursement.

The NYET Act would establish a Ukraine resistance fund to provide U.S. defense items and training to Ukraine's security forces and "appropriately vetted Ukrainian groups and individuals." The Supplying Ukraine with Provisions to Protect against Ongoing Russian Threats (SUPPORT) Act (H.R. 6777) would expand U.S. security assistance and intelligence sharing to a Ukrainian insurgency.

## Potential Considerations for Congress

Some factors that could affect the speed of transfers include procurement type, equipment availability and location, and logistical, transportation, and technology release considerations. Additionally, as some of the bills discussed above address, higher dollar value thresholds and shorter or waived congressional review periods could potentially speed up the delivery of equipment.

Congress may consider what weapon systems Ukrainian forces are using most effectively and their ability to rapidly utilize new or more advanced systems. New systems can require time to train personnel, integrate into operational plans, deploy, and maintain. Congress also may consider whether providing more sophisticated weaponry risks further military escalation, including the potential for Russia to attack NATO member states to prevent support from reaching Ukraine.

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