

117TH CONGRESS
2D SESSION

S. 3522

AN ACT

To provide enhanced authority for the President to enter into agreements with the Government of Ukraine to lend or lease defense articles to that Government to protect civilian populations in Ukraine from Russian military invasion, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ukraine Democracy
3 Defense Lend-Lease Act of 2022”.

4 **SEC. 2. LOAN AND LEASE OF DEFENSE ARTICLES TO THE**
5 **GOVERNMENTS OF UKRAINE AND EASTERN**
6 **FLANK COUNTRIES.**

7 (a) **AUTHORITY TO LEND OR LEASE DEFENSE ARTI-**
8 **CLES TO CERTAIN GOVERNMENTS.—**

9 (1) **IN GENERAL.—**Subject to paragraph (2),
10 for fiscal years 2022 and 2023, the President may
11 authorize the United States Government to lend or
12 lease defense articles to the Government of Ukraine
13 or to governments of Eastern European countries
14 impacted by the Russian Federation’s invasion of
15 Ukraine to help bolster those countries’ defense ca-
16 pabilities and protect their civilian populations from
17 potential invasion or ongoing aggression by the
18 armed forces of the Government of the Russian Fed-
19 eration.

20 (2) **EXCLUSIONS.—**For the purposes of the au-
21 thority described in paragraph (1) as that authority
22 relates to Ukraine, the following provisions of law
23 shall not apply:

24 (A) Section 503(b)(3) of the Foreign As-
25 sistance Act of 1961 (22 U.S.C. 2311(b)(3)).

1 (B) Section 61 of the Arms Export Control
2 Act (22 U.S.C. 2796).

3 (3) CONDITION.—Any loan or lease of defense
4 articles to the Government of Ukraine under para-
5 graph (1) shall be subject to all applicable laws con-
6 cerning the return of and reimbursement and repay-
7 ment for defense articles loan or leased to foreign
8 governments.

9 (4) DELEGATION OF AUTHORITY.—The Presi-
10 dent may delegate the enhanced authority under this
11 subsection only to an official appointed by the Presi-
12 dent by and with the advice and consent of the Sen-
13 ate.

14 (b) PROCEDURES FOR DELIVERY OF DEFENSE ARTI-
15 CLES.—Not later than 60 days after the date of the enact-
16 ment of this Act, the President shall establish expedited
17 procedures for the delivery of any defense article loaned
18 or leased to the Government of Ukraine under an agree-
19 ment entered into under subsection (a) to ensure timely
20 delivery of the article to that Government.

21 (c) DEFINITION OF DEFENSE ARTICLE.—In this Act,
22 the term “defense article” has the meaning given that

1 term in section 47 of the Arms Export Control Act (22
2 U.S.C. 2794).

Passed the Senate April 6, 2022.

Attest:

Secretary.

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