

117TH CONGRESS
2D SESSION

S. _____

Making supplemental appropriations for assistance and activities related to
Ukraine, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCOTT of Florida introduced the following bill; which was read twice and
referred to the Committee on _____

A BILL

Making supplemental appropriations for assistance and
activities related to 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. SHORT TITLE.**

4 This Act may be cited as the “Ukraine Supplemental
5 Appropriations Act, 2022”.

6 **SEC. 2. STATEMENT OF APPROPRIATIONS.**

7 The following sums in this Act are appropriated, out
8 of any money in the Treasury not otherwise appropriated,
9 for the fiscal year ending September 30, 2022.

2

1 TITLE I
2 DEPARTMENT OF AGRICULTURE
3 FOREIGN AGRICULTURAL SERVICE
4 FOOD FOR PEACE TITLE II GRANTS

5 For an additional amount for “Food for Peace Title
6 II Grants”, \$100,000,000, to remain available until ex-
7 pended.

8 TITLE II
9 DEPARTMENT OF COMMERCE
10 BUREAU OF INDUSTRY AND SECURITY
11 OPERATIONS AND ADMINISTRATION

12 For an additional amount for “Operations and Ad-
13 ministration”, \$22,100,000, to remain available until Sep-
14 tember 30, 2024, to respond to the situation in Ukraine
15 and for related expenses: *Provided*, That the Bureau of
16 Industry and Security shall submit a spending plan to the
17 Committees on Appropriations of the House of Represent-
18 atives and the Senate within 45 days after the date of
19 enactment of this Act: *Provided further*, That amounts
20 provided under this heading in this Act may not be used
21 to increase the number of permanent positions: *Provided*
22 *further*, That amounts made available under this heading
23 in this Act may be used to appoint such temporary per-
24 sonnel as may be necessary without regard to the provi-
25 sions of title 5, United States Code, governing appoint-

1 ments in the competitive service: *Provided further*, That
2 the Secretary of Commerce is authorized to appoint such
3 temporary personnel, after serving continuously for one
4 year, to positions in the Bureau of Industry and Security
5 in the same manner that competitive service employees
6 with competitive status are considered for transfer, reas-
7 signment, or promotion to such positions and an individual
8 appointed under this provision shall become a career-con-
9 ditional employee, unless the employee has already com-
10 pleted the service requirements for career tenure.

11 DEPARTMENT OF JUSTICE

12 LEGAL ACTIVITIES

13 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

14 For an additional amount for “Salaries and Ex-
15 penses, General Legal Activities”, \$9,700,000, to remain
16 available until September 30, 2023, to respond to the situ-
17 ation in Ukraine and for related expenses: *Provided*, That
18 amounts provided under this heading in this Act may not
19 be used to increase the number of permanent positions.

20 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

21 For an additional amount for “Salaries and Ex-
22 penses, United States Attorneys”, \$5,000,000, to remain
23 available until September 30, 2023, to respond to the situ-
24 ation in Ukraine and for related expenses: *Provided*, That

1 amounts provided under this heading in this Act may not
2 be used to increase the number of permanent positions.

3 NATIONAL SECURITY DIVISION

4 SALARIES AND EXPENSES

5 For an additional amount for “Salaries and Ex-
6 penses”, \$1,100,000, to remain available until September
7 30, 2023, to respond to the situation in Ukraine and for
8 related expenses: *Provided*, That amounts provided under
9 this heading in this Act may not be used to increase the
10 number of permanent positions.

11 FEDERAL BUREAU OF INVESTIGATION

12 SALARIES AND EXPENSES

13 For an additional amount for “Salaries and Ex-
14 penses”, \$43,600,000, to remain available until September
15 30, 2023, to respond to the situation in Ukraine and for
16 related expenses.

17 TITLE III

18 DEPARTMENT OF DEFENSE

19 MILITARY PERSONNEL

20 MILITARY PERSONNEL, ARMY

21 For an additional amount for “Military Personnel,
22 Army”, \$130,377,000, to remain available until Sep-
23 tember 30, 2022, to respond to the situation in Ukraine
24 and for related expenses.

1 MILITARY PERSONNEL, NAVY

2 For an additional amount for “Military Personnel,
3 Navy”, \$11,645,000, to remain available until September
4 30, 2022, to respond to the situation in Ukraine and for
5 related expenses.

6 MILITARY PERSONNEL, MARINE CORPS

7 For an additional amount for “Military Personnel,
8 Marine Corps”, \$3,079,000, to remain available until Sep-
9 tember 30, 2022, to respond to the situation in Ukraine
10 and for related expenses.

11 MILITARY PERSONNEL, AIR FORCE

12 For an additional amount for “Military Personnel,
13 Air Force”, \$50,396,000, to remain available until Sep-
14 tember 30, 2022, to respond to the situation in Ukraine
15 and for related expenses.

16 OPERATION AND MAINTENANCE

17 OPERATION AND MAINTENANCE, ARMY

18 For an additional amount for “Operation and Main-
19 tenance, Army”, \$1,113,234,000, to remain available until
20 September 30, 2022, to respond to the situation in
21 Ukraine and for related expenses.

22 OPERATION AND MAINTENANCE, NAVY

23 For an additional amount for “Operation and Main-
24 tenance, Navy”, \$202,797,000, to remain available until

1 September 30, 2022, to respond to the situation in
2 Ukraine and for related expenses.

3 OPERATION AND MAINTENANCE, MARINE CORPS

4 For an additional amount for “Operation and Main-
5 tenance, Marine Corps”, \$21,440,000, to remain available
6 until September 30, 2022, to respond to the situation in
7 Ukraine and for related expenses.

8 OPERATION AND MAINTENANCE, AIR FORCE

9 For an additional amount for “Operation and Main-
10 tenance, Air Force”, \$415,442,000, to remain available
11 until September 30, 2022, to respond to the situation in
12 Ukraine and for related expenses.

13 OPERATION AND MAINTENANCE, SPACE FORCE

14 For an additional amount for “Operation and Main-
15 tenance, Space Force”, \$800,000, to remain available
16 until September 30, 2022, to respond to the situation in
17 Ukraine and for related expenses.

18 OPERATION AND MAINTENANCE, DEFENSE-WIDE

19 For an additional amount for “Operation and Main-
20 tenance, Defense-Wide”, \$311,583,000, to remain avail-
21 able until September 30, 2022, to respond to the situation
22 in Ukraine and for related expenses.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 DEFENSE-WIDE

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Defense-Wide”, \$51,745,000,
5 to remain available until September 30, 2023, to respond
6 to the situation in Ukraine and for related expenses.

7 REVOLVING AND MANAGEMENT FUNDS

8 DEFENSE WORKING CAPITAL FUNDS

9 For an additional amount for “Defense Working
10 Capital Funds”, \$409,000,000, to remain available until
11 September 30, 2022, to respond to the situation in
12 Ukraine and for related expenses.

13 GENERAL PROVISIONS—THIS TITLE

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 301. In addition to amounts provided elsewhere
16 in this title, there is appropriated \$3,500,000,000, for an
17 additional amount for “Operation and Maintenance, De-
18 fense-Wide”, to remain available until September 30,
19 2023, which may be transferred to accounts under the
20 headings “Operation and Maintenance” and “Procure-
21 ment”, for replacement of defense articles from the stocks
22 of the Department of Defense, and for reimbursement for
23 defense services of the Department of Defense and mili-
24 tary education and training, provided to the Government
25 of Ukraine: *Provided*, That the Secretary of Defense shall

1 notify the congressional defense committees of the details
2 of such transfers not less than 30 days before any such
3 transfer: *Provided further*, That the funds transferred pur-
4 suant to this section shall be merged with and available
5 for the same purposes and for the same time period as
6 the appropriations to which the funds are transferred:
7 *Provided further*, That upon a determination that all or
8 part of the funds transferred from this appropriation are
9 not necessary for the purposes provided herein, such
10 amounts may be transferred back and merged with this
11 appropriation: *Provided further*, That the transfer author-
12 ity provided in this section is in addition to any other
13 transfer authority provided by law.

14 SEC. 302. The Inspector General of the Department
15 of Defense shall carry out reviews of the activities of the
16 Department of Defense to execute funds appropriated in
17 this Act, including assistance provided to Ukraine: *Pro-*
18 *vided*, That the Inspector General shall provide to the con-
19 gressional defense committees a written report not later
20 than 120 days after the date of enactment of this Act.

10

1 TITLE IV
2 DEPARTMENT OF ENERGY
3 ENERGY PROGRAMS
4 DEPARTMENTAL ADMINISTRATION
5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount for “Departmental Admin-
7 istration”, \$30,000,000, to remain available until ex-
8 pended, to respond to the situation in Ukraine and for
9 related expenses: *Provided*, That funds appropriated under
10 this heading in this Act may be transferred to, and merged
11 with, other appropriation accounts of the Department of
12 Energy, to respond to the situation in Ukraine and for
13 related expenses: *Provided further*, That upon a deter-
14 mination that all or part of the funds transferred pursuant
15 to the authority provided under this heading are not nec-
16 essary for such purposes, such amounts may be trans-
17 ferred back to this appropriation.

18 TITLE V
19 DEPARTMENT OF THE TREASURY
20 DEPARTMENTAL OFFICES
21 SALARIES AND EXPENSES

22 For an additional amount for “Salaries and Ex-
23 penses”, \$17,000,000, to remain available until September
24 30, 2023, to respond to the situation in Ukraine and for
25 related expenses.

11

1 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE
2 SALARIES AND EXPENSES

3 For an additional amount for “Salaries and Ex-
4 penses”, \$25,000,000, to remain available until September
5 30, 2023, to respond to the situation in Ukraine and for
6 related expenses.

7 FINANCIAL CRIMES ENFORCEMENT NETWORK
8 SALARIES AND EXPENSES

9 For an additional amount for “Salaries and Ex-
10 penses”, \$19,000,000, to remain available until September
11 30, 2023, to respond to the situation in Ukraine and for
12 related expenses.

13 TITLE VI
14 DEPARTMENT OF STATE AND RELATED
15 AGENCY

16 DEPARTMENT OF STATE
17 ADMINISTRATION OF FOREIGN AFFAIRS
18 DIPLOMATIC PROGRAMS

19 (INCLUDING TRANSFERS OF FUNDS)

20 For an additional amount for “Diplomatic Pro-
21 grams”, \$125,000,000, to remain available until Sep-
22 tember 30, 2024, to respond to the situation in Ukraine
23 and in countries impacted by the situation in Ukraine:
24 *Provided*, That up to \$15,000,000 may be transferred to,
25 and merged with, funds available under the heading

1 “Emergencies in the Diplomatic and Consular Service”:
2 *Provided further*, That up to \$50,000,000 may be trans-
3 ferred to, and merged with, funds available under the
4 heading “Capital Investment Fund” for cybersecurity and
5 related information technology investments: *Provided fur-*
6 *ther*, That funds appropriated under this heading in this
7 Act shall be made available, as appropriate, to enhance
8 the capacity of the Department of State to identify the
9 assets of Russian and other oligarchs related to the situa-
10 tion in Ukraine, and to coordinate with the Department
11 of the Treasury in seizing or freezing such assets.

12 OFFICE OF INSPECTOR GENERAL

13 For an additional amount for “Office of Inspector
14 General”, \$4,000,000, to remain available until September
15 30, 2024.

16 RELATED AGENCY

17 UNITED STATES AGENCY FOR GLOBAL MEDIA
18 INTERNATIONAL BROADCASTING OPERATIONS

19 For an additional amount for “International Broad-
20 casting Operations”, \$25,000,000, to remain available
21 until September 30, 2024, to respond to the situation in
22 Ukraine and in countries impacted by the situation in
23 Ukraine, including to enhance the capacity of Radio Free
24 Europe/Radio Liberty, Voice of America, and other United

1 States broadcasting entities and independent grantee or-
2 ganizations.

3 UNITED STATES AGENCY FOR INTERNATIONAL
4 DEVELOPMENT

5 FUNDS APPROPRIATED TO THE PRESIDENT
6 OPERATING EXPENSES

7 For an additional amount for “Operating Expenses”,
8 \$25,000,000, to remain available until September 30,
9 2024, to respond to the situation in Ukraine and in coun-
10 tries impacted by the situation in Ukraine.

11 OFFICE OF INSPECTOR GENERAL

12 For an additional amount for “Office of Inspector
13 General”, \$4,000,000, to remain available until September
14 30, 2024.

15 BILATERAL ECONOMIC ASSISTANCE

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 INTERNATIONAL DISASTER ASSISTANCE

18 For an additional amount for “International Disaster
19 Assistance”, \$2,650,000,000, to remain available until ex-
20 pended, to respond to humanitarian needs in Ukraine and
21 in countries impacted by the situation in Ukraine, includ-
22 ing the provision of emergency food and shelter, and for
23 assistance for other vulnerable populations and commu-
24 nities.

1 DEPARTMENT OF STATE
2 MIGRATION AND REFUGEE ASSISTANCE
3 For an additional amount for “Migration and Ref-
4 ugee Assistance”, \$1,400,000,000, to remain available
5 until expended, to assist refugees from Ukraine and for
6 additional support for other vulnerable populations and
7 communities.

8 INTERNATIONAL SECURITY ASSISTANCE

9 DEPARTMENT OF STATE

10 INTERNATIONAL NARCOTICS CONTROL AND LAW

11 ENFORCEMENT

12 For an additional amount for “International Nar-
13 cotics Control and Law Enforcement”, \$30,000,000, to re-
14 main available until September 30, 2024, for assistance
15 for Ukraine and countries impacted by the situation in
16 Ukraine.

17 FUNDS APPROPRIATED TO THE PRESIDENT

18 FOREIGN MILITARY FINANCING PROGRAM

19 For an additional amount for “Foreign Military Fi-
20 nancing Program”, \$650,000,000, to remain available
21 until September 30, 2024, for assistance for Ukraine and
22 countries impacted by the situation in Ukraine.

1 GENERAL PROVISIONS—THIS TITLE

2 (INCLUDING TRANSFERS OF FUNDS)

3 SEC. 601. During fiscal year 2022, section 506(a)(1)
4 of the Foreign Assistance Act of 1961 (22 U.S.C.
5 2318(a)(1)) shall be applied by substituting
6 “\$3,000,000,000” for “\$100,000,000”.

7 SEC. 602. During fiscal year 2022, section
8 614(a)(4)(A)(ii) of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2364) shall be applied by substituting
10 “\$500,000,000” for “\$250,000,000” and section
11 614(a)(4)(C) shall be applied by substituting
12 “\$100,000,000” for “\$50,000,000”, by substituting
13 “\$500,000,000” for “\$250,000,000”, by substituting
14 “\$750,000,000” for “\$500,000,000”, and by substituting
15 “\$1,250,000,000” for “\$1,000,000,000”.

16 SEC. 603. During fiscal year 2022, the President may
17 transfer excess defense articles to Ukraine and to allies
18 and partners in Europe pursuant to section 516 of the
19 Foreign Assistance Act of 1961 (22 U.S.C. 2321j) without
20 regard to the notification requirement in section 516(f)(1)
21 of such Act and the monetary limitation in section 516(g)
22 of such Act: *Provided*, That not later than 30 days after
23 such a transfer has occurred, the President shall report
24 to the appropriate congressional committees on the items

1 transferred, pursuant to the specifications in section
2 516(f) of such Act.

3 SEC. 604. (a) Funds appropriated by this title under
4 the headings “International Disaster Assistance” and
5 “Migration and Refugee Assistance” may be transferred
6 to, and merged with, funds appropriated by this title
7 under such headings to respond to humanitarian needs in
8 Ukraine and in countries impacted by the situation in
9 Ukraine and for other assistance for vulnerable popu-
10 lations and communities.

11 (b) Funds appropriated by this title under the head-
12 ings “Transition Initiatives”, “Economic Support Fund”,
13 “Assistance for Europe, Eurasia and Central Asia”, and
14 “International Narcotics Control and Law Enforcement”
15 may be transferred to, and merged with, funds available
16 under such headings and with funds available under the
17 headings “Complex Crises Fund” and “Nonproliferation,
18 Anti-terrorism, Demining and Related Programs” for as-
19 sistance for Ukraine and countries impacted by the situa-
20 tion in Ukraine and to respond to humanitarian needs.

21 (c) Funds appropriated by this title under the head-
22 ing “Economic Support Fund” may be transferred to, and
23 merged with, funds available under the heading “Diplo-
24 matic Programs” for activities related to public engage-
25 ment, messaging, and countering disinformation.

1 (d) The transfer authorities provided by this title are
2 in addition to any other transfer authority provided by
3 law.

4 (e) The exercise of the transfer authorities provided
5 by this title shall be subject to prior consultation with the
6 Committees on Appropriations.

7 (f) Upon a determination that all or part of the funds
8 transferred pursuant to the authorities provided under
9 this title are not necessary for such purposes, such
10 amounts may be transferred back to such appropriations.

11 SEC. 605. Funds appropriated by this title under the
12 headings “Diplomatic Programs”, “International Broad-
13 casting Operations”, “Operating Expenses”, “Inter-
14 national Disaster Assistance”, “Transition Initiatives”,
15 “Economic Support Fund”, “Assistance for Europe, Eur-
16 asia and Central Asia”, “Migration and Refugee Assist-
17 ance”, “International Narcotics Control and Law Enforce-
18 ment” and “Foreign Military Financing Program” may
19 be used to reimburse accounts administered by the De-
20 partment of State, United States Agency for Global
21 Media, and the United States Agency for International
22 Development for obligations incurred related to the situa-
23 tion in Ukraine and in countries impacted by the situation
24 in Ukraine under such headings prior to the date of enact-
25 ment of this Act.

1 SEC. 606. (a) During fiscal year 2022, direct loans
2 under section 23 of the Arms Export Control Act may be
3 made available for Ukraine and North Atlantic Treaty Or-
4 ganization (NATO) allies, notwithstanding section
5 23(c)(1) of the Arms Export Control Act, gross obligations
6 for the principal amounts of which shall not exceed
7 \$4,000,000,000: *Provided*, That funds made available
8 under the heading “Foreign Military Financing Program”
9 in this title and unobligated balances of funds made avail-
10 able under such heading in prior Acts making appropria-
11 tions for the Department of State, foreign operations, and
12 related programs may be made available for the costs, as
13 defined in section 502 of the Congressional Budget Act
14 of 1974, of such loans: *Provided further*, That such costs,
15 including the cost of modifying such loans, shall be as de-
16 fined in section 502 of the Congressional Budget Act of
17 1974 and may include the costs of selling, reducing, or
18 cancelling any amounts owed to the United States or any
19 agency of the United States: *Provided further*, That the
20 Government of the United States may charge fees for such
21 loans, which shall be collected from borrowers in accord-
22 ance with section 502(7) of the Congressional Budget Act
23 of 1974: *Provided further*, That no funds made available
24 by this or any other appropriations Act for this fiscal year
25 or prior fiscal years may be used for payment of any fees

1 associated with such loans: *Provided further*, That such
2 loans shall be repaid in not more than 12 years, including
3 a grace period of up to one year on repayment of principal:
4 *Provided further*, That notwithstanding section 23(c)(1) of
5 the Arms Export Control Act, interest for such loans may
6 be charged at a rate determined by the Secretary of State,
7 except that such rate may not be less than the prevailing
8 interest rate on marketable Treasury securities of similar
9 maturity: *Provided further*, That amounts made available
10 under this subsection for such costs shall not be consid-
11 ered assistance for the purposes of provisions of law lim-
12 iting assistance to a country.

13 (b) Funds made available under the heading “For-
14 eign Military Financing Program” in this title and unobli-
15 gated balances of funds made available under such head-
16 ing in prior Acts making appropriations for the Depart-
17 ment of State, foreign operations, and related programs
18 may be made available, notwithstanding the third proviso
19 under such heading, for the costs of loan guarantees under
20 section 24 of the Arms Export Control Act for Ukraine
21 and NATO allies, which are authorized to be provided:
22 *Provided*, That such funds are available to subsidize gross
23 obligations for the principal amount of commercial loans,
24 and total loan principal, any part of which is to be guaran-
25 teed, not to exceed \$4,000,000,000: *Provided further*, That

1 no loan guarantee with respect to any one borrower may
2 exceed 80 percent of the loan principal: *Provided further*,
3 That any loan guaranteed under this subsection may not
4 be subordinated to another debt contracted by the bor-
5 rower or to any other claims against the borrower in the
6 case of default: *Provided further*, That repayment in
7 United States dollars of any loan guaranteed under this
8 subsection shall be required within a period not to exceed
9 12 years after the loan agreement is signed: *Provided fur-*
10 *ther*, That the Government of the United States may
11 charge fees for such loan guarantees, as may be deter-
12 mined, notwithstanding section 24 of the Arms Export
13 Control Act, which shall be collected from borrowers or
14 third parties on behalf of such borrowers in accordance
15 with section 502(7) of the Congressional Budget Act of
16 1974: *Provided further*, That amounts made available
17 under this subsection for the costs of such guarantees
18 shall not be considered assistance for the purposes of pro-
19 visions of law limiting assistance to a country.

20 (c) Funds made available pursuant to the authorities
21 of this section shall be subject to prior consultation with
22 the appropriate congressional committees, and the regular
23 notification procedures of the Committees on Appropria-
24 tions.

1 priations accounts shall be available under the authorities
2 and conditions applicable to such appropriations accounts
3 for fiscal year 2022.

4 SEC. 704. (a) Not later than 90 days after the date
5 of the enactment of this Act, the Secretary of State and
6 the Secretary of Defense shall submit to the appropriate
7 congressional committees and congressional Leadership a
8 report that includes the following:

9 (1) a description of United States Government
10 assistance provided to the security forces of the Gov-
11 ernment of Ukraine for the purpose of supporting
12 the Ukrainian people as they defend their territorial
13 integrity and sovereignty, and to counter ongoing
14 Russian aggression, including:

15 (A) an assessment of Ukrainian security
16 requirements and capabilities gaps the assist-
17 ance seeks to fill; and

18 (B) formal requests from the Government
19 of Ukraine for specific defense articles and
20 services as of the date of enactment;

21 (2) a description, to the extent practicable, of
22 other assistance, including lethal assistance, Ukraine
23 has received since December 1, 2021, from foreign
24 governments;

1 (3) a description of United States Government
2 diplomatic efforts to end Russia's aggression against
3 Ukraine and to restore Ukraine's sovereignty;

4 (4) a detailed description of United States Gov-
5 ernment policies aimed at supporting North Atlantic
6 Treaty Organization (NATO) allies and other Euro-
7 pean partners threatened by the government of the
8 Russian Federation and its proxies and increased
9 strain from the humanitarian crisis; and

10 (5) a plan to replenish stocks of U.S. origin de-
11 fense articles transferred by NATO or its member
12 states to Ukraine.

13 (b) The report required by subsection (a) shall be
14 submitted in unclassified form but may contain a classi-
15 fied annex, if necessary.

16 (c) Every 90 days after the release of the first report
17 to the appropriate congressional committees, the Secretary
18 of State and the Secretary of Defense shall submit to the
19 appropriate congressional committees and congressional
20 Leadership a report that includes:

21 (1) a detailed description of defense articles
22 transferred or scheduled to be transferred by the
23 United States to the Government of Ukraine; and

24 (2) a detailed description of U.S. origin defense
25 articles transferred by NATO or its member states

1 under U.S. authorization to the Government of
2 Ukraine during the reporting period.

3 (d) For purposes of this section, the term “appro-
4 priate congressional committees” means the House Com-
5 mittees on Foreign Affairs, Armed Services, and Appro-
6 priations and the Senate Committees on Foreign Rela-
7 tions, Armed Services, and Appropriations.

8 SEC. 705. Each amount provided by this division is
9 designated by the Congress as being for an emergency re-
10 quirement pursuant to section 4001(a)(1) and section
11 4001(b) of S. Con. Res. 14 (117th Congress), the concur-
12 rent resolution on the budget for fiscal year 2022.