

AMENDMENT TO RULES COMMITTEE 119-16

OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the appropriate place in the bill, insert the following:

SEC. ____ . OVERSIGHT OF UNITED STATES-UKRAINE DEFENSE COOPERATION AND INTELLIGENCE SHARING.

- (a) **PROHIBITION ON USE OF FUNDS.**—Until the date that is 60 days after the date on which the Commander of the United States European Command and the Secretary of Defense, in consultation with the heads of other relevant Federal departments and agencies, have each, independently, submitted to the relevant congressional committees the certification in subsection (b) and the applicable assessment described in subsection (c), none of the amounts authorized to be appropriate by this Act or otherwise made available for fiscal year 2026 may be obligated or expended—
- (1) to pause, terminate, or otherwise restrict or materially downgrade intelligence support, including information, intelligence, and imagery collection authorized until Title 10, United States Code, to the Government of Ukraine for the purpose of supporting military operations of the Government of Ukraine, including that are specifically intended or reasonably expected to defend and retake the territory of Ukraine; or
 - (2) to pause, terminate, or otherwise restrict or materially downgrade support or security assistance or security cooperation activities provided under the Ukraine Security Assistance Initiative to the Government of Ukraine, including but not limited to auxiliary facilities and infrastructure, defense articles, equipment and logistics support, services, supplies, sustainment, or training.
- (b) **CERTIFICATION DESCRIBED.**—The certification described in this subsection is a certification that a proposed action described in paragraph (1) or (2) of subsection (a)—
- (1) is in the vital national security interest of the United States; and
 - (2) is being undertaken only after appropriate consultations with all North Atlantic Treaty Organization (NATO) allies and relevant non-NATO partners
- (c) **ASSESSMENT DESCRIBED.**—
- (1) **IN GENERAL.**—An assessment described in this subsection is the following:

(A) In the case of a proposed action describe in paragraph (1) or (2) of subsection a—

(i) an analysis of the impact of such action on—

(I) the security of the United States;

(II) NATO’s defense and deterrent posture against current and future Russian aggression, as well as the security of NATO as a whole; and

(III) the ability of the Government of Ukraine to build Ukraine’s capacity to defend its sovereignty and territorial integrity, support institutional transformation initiatives, and advance U.S. political and military objectives.

(ii) a description of consultations regarding such an action with each NATO ally and all relevant non-NATO partners; and

(iii) an assessment of the impact of such an action on the credibility of the United States extended deterrence commitments to NATO allies.

(d) FORM.—

(1) CERTIFICATION.—The certification described in subsection (b) shall be submitted in unclassified form.

(2) ASSESSMENT.—The assessment described in subsection (c) shall be submitted in unclassified form but may include a classified annex.

(3) PROHIBITION ON MODIFICATION.—Any assessment required under this section shall be submitted to the relevant congressional committees without modification or alteration.

(e) SUNSET.—The limitation under subsection (a) shall terminate on December 31, 2027.

(f) RELEVANT CONGRESSIONAL COMMITTEES.—For the purposes of this section, the term “relevant congressional committees” means the House Committee on Armed Services, the Senate Committee on Armed Services, the House Permanent Select Committee on Intelligence, and the Senate Permanent Select Committee on Intelligence.

(g) TERRITORY OF UKRAINE DEFINED.—For the purposes of this section, the term “territory of Ukraine” includes all territory internationally recognized to be the sovereign territory of Ukraine, including Crimea and the territory the Russian Federation claims to have annexed in Kherson Oblast, Zaporizhzia Oblast, Donetsk Oblast, and Luhansk Oblast.