DAV19465 S.L.C.

116TH CONGRESS 1ST SESSION	S.	
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To limit the transfer of F-35 aircraft to Turkey.

IN THE SENATE OF THE UNITED STATES

Mr. Lankford (for himself, Mrs. Shaheen, Mr. Van Hollen, and Mr. Tills) introduced the following bill; which was read twice and referred to the Committee on ______

A BILL

To limit the transfer of F-35 aircraft to Turkey.

- 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 "Protecting NATO
- 5 Skies Act of 2019".
- 6 SEC. 2. LIMITATION ON TRANSFER OF F-35 AIRCRAFT TO
- 7 TURKEY.
- 8 (a) In General.—Except as provided under sub-
- 9 section (b), no funds may be obligated or expended—

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1	(1) to transfer, facilitate the transfer, or au-
2	thorize the transfer of, an F-35 aircraft to the Re-
3	public of Turkey;
4	(2) to transfer intellectual property or technical
5	data necessary for or related to any maintenance or
6	support of the F-35 aircraft; or
7	(3) to construct a storage facility for, or other-
8	wise facilitate the storage in Turkey of, an F-35 air-
9	craft transferred to Turkey.
10	(b) Exception.—The President may waive the limi-
11	tation under subsection (a) upon a written certification to
12	Congress that the Government of Turkey does not plan
13	or intend to accept delivery of the S-400 air defense sys-
14	tem.
15	(c) Transfer Defined.—In this section, the term
16	"transfer" includes the physical relocation outside of the
17	continental United States.
18	(d) Applicability.—The limitation under sub-
19	section (a) does not apply to F-35 aircraft operated by
20	the United States Armed Forces.
21	SEC. 3. SENSE OF THE SENATE ON PURCHASE BY TURKEY
22	OF S-400 AIR DEFENSE SYSTEM.
23	(a) It is the sense of the Senate that, if the Govern-
24	ment of Turkey purchases the S-400 air defense system
25	from the Russian Federation—

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1	(1) such a purchase would constitute a signifi-
2	cant transaction within the meaning of section
3	231(a) of the Countering Russian Influence in Eu-
4	rope and Eurasia Act of 2017 (title II of Public Law
5	115–44; 22 U.S.C. 9525(a));
6	(2) such a purchase would endanger the integ-
7	rity of the NATO alliance;
8	(3) such a purchase would adversely affect on-
9	going operations of the United States Armed Forces,
10	including coalition operations in which the United
11	States Armed Forces participate;
12	(4) such a purchase would result in a signifi-
13	cant impact to defense cooperation between the
14	United States and Turkey;
15	(5) such a purchase would significantly increase
16	the risk of compromising United States defense sys-
17	tems and operational capabilities; and
18	(6) the President should faithfully execute the
19	Countering Russian Influence in Europe and Eur-
20	asia Act of 2017 by imposing and applying sanctions
21	under section 235 of that Act (22 U.S.C. 9529) with
22	respect to any individual or entity determined to
23	have engaged in such significant transaction as if
24	such person were a sanctioned person for purposes
25	of such section.