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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To permit the transfer of United States defense articles and defense services among the Baltic states.

IN THE HOUSE OF REPRESENTATIVES

Ms. JOHNSON of Texas introduced the following bill; which was referred to the Committee on _____

A BILL

To permit the transfer of United States defense articles and defense services among the Baltic states.

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 “Facilitating Oper-
5 ational Readiness Through Inter-Baltics Flexibility Act”
6 or the “FORTIFY Act”.

7 **SEC. 2. SENSE OF CONGRESS.**

8 It is the sense of Congress that—

1 (1) the Baltic states play an important role in
2 deterring aggression by the Russian Federation due
3 to the strategic geographic location of the Baltic
4 states in relation to—

5 (A) the ongoing war between Ukraine and
6 the Russian Federation; and

7 (B) the Russian Federation’s increasing
8 interest in Europe overall; and

9 (2) if the Baltic states were given standing per-
10 mission and the capability to use the defense articles
11 and services of each other Baltic state, and were
12 provided the training to do so, the Russian Federa-
13 tion would likely assume that the entire combined
14 fleet in the Baltic states could operate at any time
15 anywhere in the Baltic region, which would signifi-
16 cantly complicate Russian Federation planning and
17 enhance deterrence at no cost.

18 **SEC. 3. PERMISSION TO TRANSFERS UNITED STATES DE-**
19 **FENSE ARTICLES AND DEFENSE SERVICES**
20 **AMONG BALTIC STATES.**

21 (a) EXEMPTIONS FROM REQUIREMENT FOR CON-
22 SENT TO TRANSFER.—

23 (1) IN GENERAL.—Notwithstanding section
24 3(a)(2) of the Arms Export Control Act (22 U.S.C.
25 2753(a)(2)) and Section 505(a)(1) of the Foreign

1 Assistance Act of 1961 (22 U.S.C. 2314(a)(1)), re-
2 transfers of any defense article or defense service
3 among the Baltic states shall not require prior Pres-
4 idential consent.

5 (2) PRIOR AGREEMENTS.—

6 (A) CONSENT TO TRANSFER NOT RE-
7 QUIRED.—Any agreement between the United
8 States and a Baltic state under section 3 of the
9 Arms Export Control Act (22 U.S.C. 2753)
10 with respect to any defense article or defense
11 service shall not require the Baltic state to seek
12 approval from the United States to transfer
13 such article or service to any other Baltic state.

14 (B) MODIFICATION.—With respect to any
15 agreement under section 3(a)(2) of the Arms
16 Export Control Act (22 U.S.C. 2753(a)(2)) in
17 effect as of the date of the enactment of this
18 Act that requires the consent of the President
19 before a Baltic state may transfer a defense ar-
20 ticle or defense service, the United States shall
21 modify such agreement so as to remove such re-
22 quirement with respect to such a transfer to
23 any other Baltic state.

24 (b) COMMON COALITION KEY.—The Secretary of De-
25 fense shall establish among the Baltic countries a common

1 coalition key within the Baltic states for the purpose of
2 sharing ammunition for any defense article or service
3 among the Baltic states for training and operational pur-
4 poses.

5 (c) DEFINITIONS.—In this section:

6 (1) BALTIC STATE.—The term “Baltic state”
7 means the following:

8 (A) Estonia.

9 (B) Lithuania.

10 (C) Latvia.

11 (2) DEFENSE ARTICLE; DEFENSE SERVICE.—

12 The terms “defense article” and “defense service”
13 have the meanings given such terms in section 47 of
14 the Arms Export Control Act (22 U.S.C. 2794).