

116TH CONGRESS  
1ST SESSION

# H. R. 3263

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

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 2019

Mr. CICILLINE (for himself, Mr. ADERHOLT, Mr. BILIRAKIS, Mr. PALLONE, Mr. SARBANES, Ms. SPEIER, and Ms. TITUS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Oversight and Reform, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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—

1           (1) to transfer, facilitate the transfer, or au-  
2 authorize 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 CONGRESS ON PURCHASE BY TUR-**

22 **KEY OF S-400 AIR DEFENSE SYSTEM.**

23       It is the sense of the Congress that, if the Govern-  
24 ment of Turkey purchases the S-400 air defense system  
25 from the Russian Federation—

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

1 such person were a sanctioned person for purposes  
2 of such section.

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