
Safeguarding Our Stockpiles (SOS) Act

When Presidential Drawdown Authority (PDA) was enacted as part of the Foreign Assistance Act in 1961, this new authority allowed the President to access up to \$100M of weapons in U.S. military stockpiles to meet “unforeseen emergency” requirements in a given year. The authority was intended to be limited to “unforeseen events or ones so uncertain that it would be inappropriate to budget for them” or “in situations where the only alternatives were to do nothing...in effect a last resort use.”¹

For 60 years, this is largely how PDA was used – a limited and temporary authority to meet emergency needs while regular budgets were recalibrated to meet any ongoing requirements in the following year. PDA was never a long-term strategy. That is, until Ukraine. Since 2021, U.S. military stockpiles have been looted and left bare at the singular direction of a presidential administration capitalizing on the discretion and loopholes provided in the existing statute. Under the auspices of being an “unforeseen emergency,” Ukraine has been armed with nearly \$24B worth of U.S. equipment directly from our own stocks, in 57 separate drawdowns.²

This unabated use of PDA violates the spirit of the law and leaves us woefully unprepared to confront potential contingencies in other, higher priority theaters. To address this, Sen. Lee is introducing the *Safeguarding Our Stockpiles Act* to place much needed parameters around future use of PDA.

Bill Specifics

Sen. Lee’s bill would recapture the original intent for PDA to be reserved for limited, last resort use with the following four changes:

- ***Defining an Unforeseen Emergency:*** Removes ambiguity as to what constitutes an “unforeseen emergency” for purposes of PDA by defining it to mean a kinetic attack against a bilateral or multilateral treaty ally, reasonably unforeseen by U.S. intelligence, and which poses an imminent threat to the U.S. security interests outlined in the most recent national defense strategy. Limits the use of PDA to 20 days.
- ***Prioritizing Stockpile Replenishment:*** Prohibits the President from accessing PDA whenever the remaining value of drawdown authority exceeds the amount available for stockpile replenishment – ensuring that the President cannot send more weapons out the door than we have the capacity to replace.
- ***FY Expiration of Unused PDA:*** Automatically sunsets any unused drawdown authority at the end of the fiscal year, requiring a new authorization for any subsequent deliveries of defense articles and preventing cases from being perpetually open.
- ***Congressional Approval for Excess Drawdowns:*** Given congressional willingness to raise the drawdown cap far past its annual limit of \$100M, the bill requires Congress to approve every drawdown that exceeds the \$100M cap in a given year on an individual, country-specific basis – including authorizing appropriations in an amount sufficient to replenish our stockpiles.

¹ <https://www.gao.gov/assets/nsiad-85-79.pdf>

² <https://crsreports.congress.gov/product/pdf/IF/IF12040>
