

May 29, 2024

President Joseph R. Biden, Jr.  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President:

We call on your Administration to review and change its policy constraining Ukraine's use of U.S.-supplied military assistance against critical military targets within Russia. We are grateful for your leadership and commitment to support Ukraine. With Russia's escalating attacks against Ukrainian civilians and civilian infrastructure, especially around Kharkiv, it is imperative that the U.S. Government not hamper Ukraine's ability to fully and reasonably defend its people and its territorial integrity, consistent with international law.

The United Kingdom has already provided its express approval for Ukraine to use British-provided weapons against legitimate targets on Russian territory. As British Foreign Secretary David Cameron unambiguously stated, "Ukraine has that right."<sup>1</sup> Foreign Secretary Cameron's words underscore the imperative of resisting Putin's attempts at intimidation and blatant disregard for international law. We call on your Administration to once again follow the UK's lead.

Enabling Ukraine to strike key military targets on Russian soil would offer immediate protection for cities like Kharkiv. Russia aims to render Kharkiv, Ukraine's second-largest city, uninhabitable through barbaric bombing campaigns. A city of 1.3 million residents, akin to the populations of Dallas or San Diego, Kharkiv is perilously close to the Russian border. The current U.S. policy has the implicit effect of enabling Russian forces to rain down devastation from the safety of their own territory without fear of response or interdiction by the Ukrainians. Tragically, incidents like the recent attack on Orthodox Easter Sunday, which claimed the life of one woman and injured 24 others in Kharkiv, are becoming all too common.<sup>2</sup> Yet they are entirely preventable.

From Russia's distorted perspective, Ukraine is already using U.S. weapons inside of Russian sovereign territory. In 2014, Russia illegally annexed the Autonomous Republic of Crimea, a violation of international law, which was followed by the illegal annexation of Donetsk,

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<sup>1</sup> Serhii Korolchuk and David L. Stern, "U.K. lifts restrictions on Ukraine's use of weapons against Russia," *The Washington Post*, May 3, 2024,

<https://www.washingtonpost.com/world/2024/05/03/david-cameron-ukraine-russia-weapons/>

<sup>2</sup> Vitalii Hnidy, "Russian attacks on Kharkiv, surrounding area kill one, injure 17, officials say," Reuters, May 5, 2024,

<https://www.reuters.com/world/europe/russian-attacks-kharkiv-region-kill-one-injure-17-officials-say-2024-05-05/>

Kherson, Luhansk, and Zaporizhzhia Oblasts in 2022. The Kremlin has said that its nuclear umbrella extends to cover these regions.<sup>3</sup> Nevertheless, despite these threats, Ukraine has not only attacked Russian forces in these occupied territories, it has returned substantial portions of these oblasts to sovereign Ukrainian control—all without triggering the threatened nuclear response.<sup>4</sup> Moreover, Russian threats regarding Ukraine’s use of Western weapons to strike targets in Crimea were again proven hollow when Ukraine used British Storm Shadow missiles to strike the Black Sea Fleet’s headquarters in Sevastopol.<sup>5</sup>

We must finally learn from Ukraine’s successes at calling out Russian bluster that it is not escalatory for Ukraine to defend itself. The past two years have shown that if we allow the U.S. to be held hostage to the Kremlin’s threats of escalation, Russia gains the upper hand and Ukrainian civilians pay the price.

Russia strategically employs such threats to deter Ukraine’s partners from enabling Ukraine to use Western weapons to their full potential. It is on you, Mr. President, to decide whether Russia’s demonstrably empty threats are successfully deterring the United States. At various points over the past two years, we have seen your Administration create artificial red lines for itself rather than for Putin, demonstrating to the Kremlin that its saber-rattling can deter the White House. We call on you to see through Russia’s bluster and provide Ukraine with everything it needs to pave the way for a just and lasting peace.

Respectfully,

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<sup>3</sup> Reuters, “Kremlin says any attack on annexed territory will be an attack on Russia,” Reuters, September 30, 2022, <https://www.reuters.com/world/europe/kremlin-says-any-attack-annexed-territory-will-be-an-attack-russia-2022-09-30/>; Reuters, “Russia says seized Ukrainian lands are under its nuclear protection,” Reuters, October 18, 2022, <https://www.reuters.com/world/europe/kremlin-annexed-ukrainian-lands-protected-by-russian-nuclear-weapons-2022-10-18/>

<sup>4</sup> Mithil Aggarwal, “Ukraine retakes a key city Putin claimed to have annexed. Here’s why it matters.” NBC News, October 2, 2022, <https://www.nbcnews.com/news/world/ukraine-retakes-lyman-russia-retreat-putin-annexation-rcna50357>

<sup>5</sup> Maria Kostenko, et al., “Ukraine says strike on Russia’s Black Sea Fleet HQ left dozens dead and wounded ‘including senior leadership,’” CNN, September 23, 2023, <https://www.cnn.com/2023/09/23/europe/special-ops-black-sea-strike-dozens-dead-intl-hnk/index.html>

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