

Congress of the United States
Washington, DC 20515

March 21, 2023

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Ave, N.W.
Washington, D.C. 20500

Dear President Biden:

We write to urge you to immediately provide cluster munitions, such as dual purpose improved conventional munitions (DPICM), to the Ukrainian Armed forces. We remain deeply disappointed in your administration's reluctance to provide Ukraine with the right type and amount of long-range fires and maneuver capability to create and exploit operational breakthroughs against the Russians. Sadly, the immediate consequences of denying DPICM and other items in a timely manner to the Ukrainian Armed Forces are playing out on the battlefield in Bakhmut and elsewhere in Ukraine today.

The Russian military continues to attack the outnumbered Ukrainian defenders of Bakhmut with waves of soldiers and mercenaries from the Wagner Group. To counter these tactics, Ukraine has asked the United States for DPICM, which are highly effective against personnel – both enemy troops in the open and entrenched infantry – and mechanized vehicles. The United States relied on similar cluster munitions during the Cold War as a means of offsetting Soviet military advantages in manpower, artillery, and armored vehicles.

Providing DPICM will allow Ukraine to compensate for Russia's quantitative advantage in both personnel and artillery rounds, and will allow the Ukrainian Armed Forces to concentrate their use of unitary warheads against higher-value Russian targets. The operational benefits of DPICM include:

- Alleviating pressure on U.S. and allied munitions supplies. The United States has nearly three million of these rounds in its inventory – much of it located on U.S. and allied bases in Europe.
- Higher effectiveness. A single round can achieve a similar or greater operational effect as five or more rounds armed with GMLRS-U or other high-explosive warheads.
- Unlocking multiple new systems that have a DPICM variant, including 155mm artillery rounds, ATACMS, and GMLRS.
- Channeling enemy forces onto terrain that is favorable for precision targeting.
- Offsetting Russia's quantitative advantage in artillery rounds and reducing both the overuse of artillery barrels and the heavy demand for resupply of artillery rounds.

Despite these benefits, your administration seems committed to denying Ukraine DPICM because of vague concerns about the reaction of allies and partners and unfounded fears of "escalation." However, other countries have already supplied these weapons, which did not result in any

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meaningful Russian escalation. We understand other allies are also considering supplying cluster munitions and urge you to facilitate these efforts as well.

Ukrainian leaders are aware of the risks to noncombatants associated with these munitions, which pale in comparison to the existential threat posed by Russia's invasion and daily acts of barbarity. Moreover, our reticence to provide DPICM fails to account for the fact that, unlike Russian shells, our munitions incorporate technologically advanced measures that limit the risk to noncombatants.

Further, our four committees warned you last summer of the potentially harmful impact to our national security of your changes to the United States Anti-Personnel Landmine policy. Our concern has only been exacerbated since the administration's release of its new Conventional Arms Transfer policy, which emphasizes restraint in arms transfer policies. We hope these misguided policies are not being used to preclude us from aiding Ukraine with the weapons it most needs as it fights for its survival as a nation.

As Russia continues to generate manpower, the costs of our inaction become increasingly clear. Protraction of this conflict only extends the enormous suffering of the Ukrainian people and risks undermining both allied unity and the domestic political support needed to sustain our efforts to aid Ukraine and end this war.

No individual munition or system will prove to be the key to restoring Ukraine's territorial integrity. However, we believe that DPICM could help fill a key gap for Ukraine's military, and, in concert with other provided capabilities, continue to push Putin's forces out of Ukraine. We look forward to your administration's immediate action.

We thank you for your prompt attention to this matter.

Sincerely,



JAMES E. RISCH
Ranking Member
Senate Foreign Relations Committee



ROGER F. WICKER
Ranking Member
Senate Armed Services Committee



MICHAEL T. McCAUL
Chairman
House Foreign Affairs Committee



MIKE D. ROGERS
Chairman
House Armed Services Committee

CC: The Honorable Antony J. Blinken, Secretary, U.S. Department of State
The Honorable Lloyd J. Austin, Secretary, U.S. Department of Defense