

MARKUP OF: H. RES. 158

HEARING

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

March 24, 2023

Serial No. 118–7

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CONTENTS

	Page
BILL	
H. RES. 158	2
APPENDIX	
Hearing Notice	11
Hearing Minutes	12
Hearing Attendance	13
VOTES	
Votes	14
MARKUP SUMMARY	
Markup summary	15

**MARKUP OF: H. RES. 158, RESOLUTION OF
INQUIRY
REQUESTING THE PRESIDENT AND
DIRECTING THE
SECRETARY OF DEFENSE AND SECRETARY
OF STATE
TO TRANSMIT, RESPECTIVELY, CERTAIN
DOCUMENTS
TO THE HOUSE OF REPRESENTATIVES
RELATING TO
CONGRESSIONALLY APPROPRIATED FUNDS
TO THE
NATION OF UKRAINE FROM JANUARY 20, 2021
TO
FEBRUARY 24, 2023
Friday, March 24, 2023**

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 9:18 a.m., in room 210, House Visitor Center, Hon. Michael McCaul (chairman of the committee) presiding.

Chairman MCCAUL. A quorum being present, the Committee on Foreign Affairs will come to order. The committee is meeting today for consideration of H. Res. 158, a resolution of inquiry requesting the President and directing the Secretary of State to transmit. Pursuant to House rules, I request that members have the opportunity to submit views for a committee report that may be produced on today's measure. Without objection, so ordered.

The chair announces today that any requests for recorded votes may be rolled, and he may recess the committee at any point without objection, so ordered.

Pursuant to notice, I now call up H. Res. 158, a resolution of inquiry requesting the President and directing the Secretary of State to transmit, respectfully, certain documents to the House of Representatives relating to congressionally appropriated funds to the Nation of Ukraine from January 20th, 2021 to February 24th, 2023. The measure was circulated in advance. The Clerk shall designate the resolution.

[The Bill H. Res. 158 follows:]

118TH CONGRESS
1ST SESSION

H. RES. 158

Of inquiry requesting the President and directing the Secretary of Defense and Secretary of State to transmit, respectively, certain documents to the House of Representatives relating to congressionally appropriated funds to the nation of Ukraine from January 20, 2021 to February 24, 2023.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 2023

Ms. GREENE of Georgia (for herself, Mr. ROSENDALE, Mr. MASSIE, Mr. HIGGINS of Louisiana, Mr. GAETZ, Mr. ROY, Mr. BURCHETT, Mr. GOSAR, and Mrs. MILLER of Illinois) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Of inquiry requesting the President and directing the Secretary of Defense and Secretary of State to transmit, respectively, certain documents to the House of Representatives relating to congressionally appropriated funds to the nation of Ukraine from January 20, 2021 to February 24, 2023.

- 1 *Resolved*, That the President is requested, and the
- 2 Secretary of Defense and Secretary of State are directed,
- 3 to transmit, respectively, to the House of Representatives,
- 4 not later than 14 days after the date of the adoption of
- 5 this resolution, copies of all documents, charts, or tables,

3

2

1 including notes from meetings, audio recordings, records
2 (including telephone and email records), correspondence,
3 and other communications, and any financial statements
4 detailing purchases, recipients, and government expendi-
5 tures to the extent that any such one or more items are
6 within the possession of the President or Secretaries afore-
7 mentioned, respectively, and refer or relate to congression-
8 ally appropriated funds directed to the nation of
9 Ukraine—whether in regard to military, civilian, or finan-
10 cial aid—between January 20, 2021 to February 24,
11 2023.

○

The CLERK. H. Res. 158 of inquiry requesting the President and directing the Secretary of State—

Chairman MCCAUL. Without objection, the first reading is dispensed with. The resolution is considered read and open to amendment at any point.

I now recognize myself for an opening statement. One year, 1 month ago today, Putin launched his full scale, unprovoked war of aggression in Ukraine. To date, at least eight thousand civilians have been killed, 65,000 war crimes have been reported including the abduction of 14,000 Ukrainian children. These numbers do not include the staggering loss of life on the battlefield.

In response, Congress has provided a significant amount of assistance to Ukraine to ensure Putin's aggression is stopped at Ukraine's border, and to ensure NATO countries are not next. I have supported this assistance because a victory by Putin in Ukraine would further embolden America's adversaries from Chairman Xi in Beijing to the Ayatollah in Tehran to Kim Jong-un in North Korea.

As the chairman of this committee, it is also my constitutionally guaranteed responsibility to pursue stringent oversight of the Department of State and USAID. Every dollar counts and the Biden Administration should expect this committee to be vigilant in demanding transparency and accountability for U.S. assistance to Ukraine. In fact, this committee has already in the process of conducting vigorous oversight of the assistance provided to Ukraine by the Department of State.

Our first committee event of this Congress was a request by briefing on oversight of assistance to Ukraine. Also, I led a congressional delegation to Kyiv last month to get a first-hand perspective of the safeguards and monitoring mechanisms in place for U.S. support.

Next week, I am holding a public hearing with the Inspectors General from DoD, State, and USAID to assess the Administration's oversight efforts to date. This will be the first time any of them have appeared before this committee since the full-scale invasion. But I can assure you it will not be our last engagement with them on this issue.

It is unfortunate that some misunderstand strong oversight that is somehow at odds with strong U.S. support for Ukraine's self-defense against Putin's brutal, illegal invasion. This oversight is vital for continued U.S. support and for ensuring such support is effective in protecting American security interest abroad.

This resolution of inquiry requests the Administration to transmit relevant documents related to congressionally appropriated funds for Ukraine. It is important Congress continue to closely examine the Biden Administration's failure of deterrence leading up to Russia's February 24th, 2022 invasion. This will ensure that in the future such brutal wars of aggression can be deterred by American strength and not encouraged by American weakness.

The American taxpayer deserves to know how this money is being spent and I am committed to exercising intense congressional oversight on all of our assistance to Ukraine. So I support this resolution as it is consistent with my oversight agenda of the U.S. assistance to Ukraine.

Is there any discussion on the resolution? The Ranking Member, Mr. Meeks, is recognized.

Mr. MEEKS. Thank you, Mr. Chairman. I oppose resolution H. Res. 158 as we consider this measure today. I have got to tell you I cannot help but feel frustrated that here we are again. We considered this exact same measure in the last Congress. It was at that time divisive and ill-advised, and it remains so today.

And so my message will remain as it was in the 117th Congress.

From day one, Russia's invasion of Ukraine in 2022 and long before this committee and the entire Congress has remained resolutely bipartisan in our support for Ukraine as it fights against Russian aggression. This bipartisanship has been pivotal to Ukraine's success and its survival. But measures like this one put the bipartisanship in jeopardy and send absolutely the wrong message.

As we consider this resolution for the second time, my Republican colleagues will try to gloss over what this really means. They will claim that his measure is just about oversight. It is not. They may claim that it says nothing negative about the future of our support for Ukraine, but sadly, it does.

Despite what my GOP colleagues may claim today, this resolution is not about transparency or strengthening accounting of our support for Ukraine which we all agree is important. This resolution is about division. Reporting it out favorably is not responsible oversight, and in fact, ignores the unprecedented amount of oversight this very committee is conducting on a regular basis. This includes the dozens of hours of briefings and extensive documentation the Administration is providing to us all. This political measure is unnecessarily divisive and plays directly into Vladimir Putin's hands and we should reject it loudly and in a bipartisan manner.

Acknowledging the unprecedented nature of the aid we are providing, the Administration is fulfilling its duty to spend every U.S. taxpayer dollar in a transparent and accountable way to keep Congress informed at each and every step. Since February 2022, the Administration has engaged with members and staff on no less than 60, that is 6-0 occasions. Our diplomats working in a war zone in Kyiv have gone through painstakingly lists to track, to monitor, and evaluate U.S. assistance, including by implementing the Administration's October 2022 strategy to account for all U.S. security assistance and to bolster the capability of Ukraine and our allies and partners in the region to counter illicit diversion.

Furthermore, the Administration has provided extensive information to the committee on the security assistance and weapons provided to Ukraine and methods by which such equipment is tracked and accounted for on a regular basis. And I am sure the chairman, as when I visited Kyiv and President Zelenskyy in the 117th Congress, found that that President Zelenskyy wants to make sure that there is accountability of every weapon and every dollar and he says that consistently. And that is why he is present. He approves and thanks us at every opportunity for that assistance because he does not want anything that is missing and unaccounted for.

Meanwhile also, the Administration is cooperating fully and openly with a task force of three inspector generals from State, DoD, USAID, whose work can amplify and evaluate these efforts. At every turn, the departments, agencies, and OIGs, have kept this committee and this Congress more broadly and appropriately briefed and informed. This was true in the 117th Congress and it remains true in the 118th Congress.

So I ask my colleagues what message does supporting this measure, knowing the extreme rhetoric that sponsors have used to discuss American assistance to Ukraine, send to the Ukrainian people and to Vladimir Putin? Support for this resolution ignores the painstaking efforts of the American and Ukrainian Government and instead parrots the propaganda of the Kremlin.

So I want to be clear on one thing though. I support robust oversight of our assistance to Ukraine and I look forward to continuing to work with the Administration and my colleagues on the other side of the aisle and the chairman to keep the safeguards on our assistance strong.

Going forward, I urge my Republican colleagues now in the majority to embrace responsible oversight and reject partisan politics that send out one message that we on this Committee on Foreign Affairs support Ukraine and will take meaningful steps to ensure our assistance is used properly, effectively, and remain committed to giving them the resources they need to win and to thrive when this war is over.

So with that, I oppose this measure and just say let's stop the political stunts and let's move forward in a bipartisan way in support of Ukraine against Vladimir Putin. And I yield back.

Chairman MCCAUL. The gentleman yields. Any further discussion on the resolution?

There being no further discussion of the resolution, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

There being no amendments, I move that the committee report House Resolution 158 to the House with a favorable recommendation.

All those in favor say aye?

All those opposed signify by saying no.

It is the opinion of the chair, even though the ranking member was very loud, I would say that the ayes have it and the motion is agreed to.

Mr. MEEKS. On that I ask for a recorded vote.

Chairman MCCAUL. A roll call vote has been requested. Pursuant to the chair's previous announcement, this vote will be postponed. The committee will—Mr. Cicilline is recognized.

Mr. CICILLINE. Mr. Chairman, I ask unanimous consent that my very eloquent statement be introduced into the record, pursuant to our agreement.

Chairman MCCAUL. Mr. Perry, do you object?

Mr. CICILLINE. Pursuant to our agreement.

Chairman MCCAUL. Without objection, so ordered. The committee will recess for about 10 minutes. The Clerk will send out notice of when we will reconvene.

[Recess.]

Chairman MCCAUL. The committee will come to order. The committee postponed further proceedings on reporting House Resolution 158 favorably to the House on which the ayes prevailed by voice vote. The question now occurs on reporting the measure favorably.

The Clerk will call the roll and we want to thank our financial services members for finally showing up. The Clerk will call the roll.

Mr. HUIZENGA. Mr. Chairman, a point of information. It is difficult saving the economy and saving the world, so we are working on it on both committees. We are working on it.

Mr. BURCHETT. We want to thank the sergeant-at-arms for making the door big enough to get their fat heads through that. Thank you. And that is for the record.

Chairman MCCAUL. All right, all right.

Mr. BURCHETT. That's Burchett with two Ts to all my friends in the meeting.

Chairman MCCAUL. The gentleman will dismiss. The Clerk will call the roll.

The CLERK. Representative Smith?

Mr. SMITH. Yes.

The CLERK. Representative Smith votes aye.

Representative Wilson?

Mr. WILSON. Aye.

The CLERK. Wilson votes aye.

Representative Perry?

Mr. PERRY. Aye.

The CLERK. Perry votes aye.

Representative Issa?

Mr. ISSA. Aye.

The CLERK. Issa votes aye.

Representative Wagner?

Mrs. WAGNER. Aye.

The CLERK. Wagner votes aye.

Representative Mast?

Mr. MAST. Aye.

The CLERK. Mast votes aye.

Representative Buck?

Buck?

[No response.]

Representative Burchett?

Mr. BURCHETT. Yes.

The CLERK. Burchett votes aye.

Representative Green?

Mr. GREEN. Aye.

The CLERK. Green votes aye.

Representative Barr?

Mr. BARR. Aye.

The CLERK. Barr votes aye.

Representative Ronny Jackson?

Mr. JACKSON OF TEXAS. Aye.

The CLERK. Jackson votes aye.

Representative Young Kim?

Mrs. KIM OF CALIFORNIA. Aye.

The CLERK. Kim votes aye.
 Representative Salazar?
 Ms. SALAZAR. Aye. Si.
 The CLERK. Salazar votes aye.
 Representative Huizenga?
 Mr. HUIZENGA. Aye.
 The CLERK. Huizenga votes aye.
 Representative Radewagen?
 Mrs. RADEWAGEN. Aye.
 The CLERK. Ragewagen votes aye.
 Representative Hill?
 Mr. HILL. Aye.
 The CLERK. Representative Hill votes aye.
 Representative Davidson?
 Mr. DAVIDSON. Aye.
 The CLERK. Davidson votes aye.
 Representative Baird?
 Mr. BAIRD. Aye.
 The CLERK. Baird votes aye.
 Representative Waltz?
 Mr. WALTZ. Aye.
 The CLERK. Representative Waltz votes aye.
 Representative Kean?
 Mr. KEAN. Aye.
 The CLERK. Kean votes aye.
 Representative Lawler?
 Mr. LAWLER. Aye.
 The CLERK. Lawler votes aye.
 Representative Mills?
 Mr. MILLS. Aye.
 The CLERK. Mills votes aye.
 Representative McCormick?
 Mr. MCCORMICK. Aye.
 The CLERK. McCormick votes aye.
 Representative Moran?
 Mr. MORAN. Aye.
 The CLERK. Moran votes aye.
 Representative James?
 Mr. JAMES. Aye.
 The CLERK. James votes aye.
 Representative Self?
 Mr. SELF. Aye.
 The CLERK. Self votes aye.
 Ranking Member Meeks?
 Mr. MEEKS. No.
 The CLERK. Meeks votes nay.
 Representative Sherman?
 Sherman?
 [No response.]
 Representative Connolly?
 Mr. CONNOLLY. Nay.
 The CLERK. Connolly votes nay.
 Representative Keating?
 Mr. KEATING. Nay.

The CLERK. Keating votes no.
 Representative Cicilline?
 Mr. CICILLINE. No.
 The CLERK. Cicilline votes no.
 Representative Bera?
 Mr. BERA. No.
 The CLERK. Bera votes no.
 Representative Castro?
 Castro?
 [No response.]
 Representative Titus?
 Ms. TITUS. No.
 The CLERK. Titus votes no.
 Representative Lieu?
 Mr. LIEU. No.
 The CLERK. Lieu votes no.
 Representative Wild?
 Ms. WILD. No.
 The CLERK. Wild votes no.
 Representative Phillips?
 Mr. PHILLIPS. No.
 The CLERK. Phillips votes no.
 Representative Allred?
 Mr. ALLRED. No.
 The CLERK. Allred votes no.
 Representative Andy Kim?
 Mr. KIM OF NEW JERSEY. No.
 The CLERK. Andy Kim votes no.
 Representative Jacobs?
 Ms. JACOBS. No.
 The CLERK. Jacobs votes no.
 Representative Manning?
 Ms. MANNING. No.
 The CLERK. Manning votes no.
 Representative Cherfilus-McCormick?
 Mrs. CHERFILUS-McCORMICK. No.
 The CLERK. Cherfilus-McCormick votes no.
 Representative Stanton?
 Mr. STANTON. No.
 The CLERK. Stanton votes no.
 Representative Dean?
 Ms. DEAN. No.
 The CLERK. Dean votes no.
 Representative Moskowitz?
 Moskowitz?
 [No response.]
 Representative Jonathan Jackson?
 Mr. JACKSON OF ILLINOIS. No.
 The CLERK. Jackson votes no.
 Representative Kamlager-Dove?
 Ms. KAMLAGER-DOVE. No.
 The CLERK. Kamlager-Dove votes no.
 Representative Costa?
 Costa?

[No response.]

Representative Crow?

Mr. CROW. No.

The CLERK. Crow votes no.

Representative Schneider?

Mr. SCHNEIDER. No.

The CLERK. Schneider votes no.

Mr. Chairman?

Chairman MCCAUL. Aye.

The CLERK. Mr. Chairman votes aye.

Chairman MCCAUL. Does any member wish to record or change his vote?

The Clerk will report the tally.

The CLERK. Mr. Chairman, on this vote, the ayes are 26 and the noes are 19.

Chairman MCCAUL. The ayes have it and the motion is agreed——

The CLERK. Sorry, the noes are 20.

Chairman MCCAUL. Still the ayes have it and the motion is agreed to.

This concludes consideration of the measure noticed by the committee for today. There being no further business to transact, the committee now stands adjourned.

[Whereupon, at 9:56 a.m., the committee was adjourned.]

APPENDIX



**COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP NOTICE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

Michael T. McCaul (R-TX), Chairman

March 17, 2023

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN markup of the Committee on Foreign Affairs to be held at 9:00 a.m. in room 210 of the House Visitor's Center. The markup is available by live webcast on the Committee website at <https://foreignaffairs.house.gov/>.

DATE: Friday, March 24, 2023

TIME: 9:00 a.m.

LOCATION: HVC-210

MARKUP OF: H. Res. 158, Resolution of inquiry requesting the President and directing the Secretary of Defense and Secretary of State to transmit, respectively, certain documents to the House of Representatives relating to congressionally appropriated funds to the nation of Ukraine from January 20, 2021 to February 24, 2023.

*NOTE: Measures may be added.

By Direction of the Chair

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-226-8467 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF FULL COMMITTEE MARKUP

Day Friday Date March 24 Room HVC-210

Starting Time 9:18 Ending Time 9:56

Recesses ____ (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Chairman McCaul, Ranking Member Meeks

Check all of the following that apply:

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

BILLS FOR MARKUP: (Include bill number(s) and title(s) of legislation.)

H. Res. 158, Resolution of inquiry regarding the President and directing the Secretary of Defense and Secretary of State to submit, respectively, certain documents to the House of Representatives relating to congressionally appropriated funds to the nation of Ukraine from January 20, 2021 to February 24, 2023.

COMMITTEE MEMBERS PRESENT:

Attached

NON-COMMITTEE MEMBERS PRESENT:

None

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

None

ACTIONS TAKEN DURING THE MARKUP: (Attach copies of legislation and amendments.)

Attached

RECORDED VOTES TAKEN (FOR MARKUP): (Attach final vote tally sheet listing each member.)

<u>Subject</u>	<u>Yeas</u>	<u>Nays</u>	<u>Present</u>	<u>Not Voting</u>
<i>HR158</i>	<i>26</i>	<i>20</i>		

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 9:56

Meg Wagner

Full Committee Hearing Coordinator

Committee on Foreign Affairs

118th Congress

ATTENDANCE

Meeting on: Full Committee Markup HR158

Date: 03/24/2023

Representative	Present	Absent	Representative	Present	Absent
Mr. McCaul	X		Mr. Meeks	X	
Mr. Smith	X		Mr. Sherman		X
Mr. Wilson	X		Mr. Connolly	X	
Mr. Perry	X		Mr. Keating	X	
Mr. Issa	X		Mr. Cicilline	X	
Mrs. Wagner	X		Mr. Bera	X	
Mr. Mast	X		Mr. Castro		X
Mr. Buck		X	Mrs. Titus	X	
Mr. Burchett	X		Mr. Lieu	X	
Mr. Green	X		Mrs. Wild	X	
Mr. Barr	X		Mr. Phillips	X	
Mr. Jackson	X		Mr. Allred	X	
Mrs. Kim	X		Mr. Kim	X	
Mrs. Salazar	X		Ms. Jacobs	X	
Mr. Huiizenga	X		Ms. Manning	X	
Mrs. Radewagen	X		Mrs. Cherfilus-McCormick	X	
Mr. Hill	X		Mr. Stanton	X	
Mr. Davidson	X		Ms. Dean	X	
Mr. Baird	X		Mr. Moskowitz		X
Mr. Waltz	X		Mr. Jackson	X	
Mr. Kean	X		Mrs. Kamlager-Dove	X	
Mr. Lawler	X		Mr. Costa		X
Mr. Mills	X		Mr. Crow	X	
Mr. McCormick	X		Mr. Schneider	X	
Mr. Moran	X				
Mr. James	X				
Mr. Self	X				

VOTES



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
 118th CONGRESS
 VOTES OF THE COMMITTEE

Date: 3/24/2023

Vote: H.R. 158

Representative	Yea	Nay	Representative	Yea	Nay
Representative Smith	X		Ranking Member Meeks		X
Representative Wilson	X		Representative Sherman		
Representative Perry	X		Representative Connolly		X
Representative Issa	X		Representative Keating		X
Representative Wagner	X		Representative Cicilline		X
Representative Mast	X		Representative Bera		X
Representative Buck			Representative Castro		
Representative Burchett	X		Representative Titus		X
Representative Green	X		Representative Lieu		X
Representative Barr	X		Representative Wild		X
Representative Ronny Jackson	X		Representative Phillips		X
Representative Young Kim	X		Representative Allred		X
Representative Salazar	X		Representative Andy Kim		X
Representative Huizenga	X		Representative Jacobs		X
Representative Radewagen	X		Representative Manning		X
Representative Hill	X		Representative Cherfilus-McCormick		X
Representative Davidson	X		Representative Stanton		X
Representative Baird	X		Representative Dean		X
Representative Waltz	X		Representative Moskowitz		
Representative Kean	X		Representative Jonathan Jackson		X
Representative Lawler	X		Representative Kamlager-Dove		X
Representative Mills	X		Representative Costa		
Representative McCormick	X		Representative Crow		X
Representative Moran	X		Representative Schneider		X
Representative James	X				
Representative Self	X				
Mr. Chairman	X				

Yeas [26] Nays [20]

MARKUP SUMMARY

3/24/23 Foreign Affairs Markup Summary

The Chair called up the following measure, previously provided to Members:

1. [H.Res.158](#), Resolution of Inquiry requesting the President and directing the Secretary of Defense and Secretary of State to transmit, respectively, certain documents to the House of Representatives relating to congressionally appropriated funds to the nation of Ukraine from January 20, 2021 to February 24, 2023. (Ms. Greene)
The measure was ordered favorably reported to the House by a vote of 26Y to 20N.