

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3102**

May 20, 2022

President Joseph R. Biden  
The White House  
1600 Pennsylvania Ave. NW  
Washington, D.C. 20500

Dear President Biden,

We write today to express grave concern about the lack of oversight and accountability for the money and weapons recently approved by Congress for Ukraine. The aid package approved by Congress provides unprecedented funding for a foreign conflict in which the United States is not fighting, while there have been no significant hearings or substantive briefings on the use of the money and weapons being provided at taxpayer expense. No public comment has been sought and no path forward on ending the conflict in Ukraine has been outlined.

Many of us have previously voted for substantial aid packages to Ukraine and sanctions against Russia, but this massive increase in spending with little oversight is deeply troubling. The American people did not elect us to pour their hard-earned money into a conflict halfway around the world with little ability to track the end use of weapons or their effectiveness. This comes at a time when American families struggle under skyrocketing inflation, high gas prices, and baby formula shortages.

The latest package is approximately \$40 billion, \$7 billion more than your administration requested. This is only the latest funding sent to Ukraine: according to Assistant Secretary of State Jessica Lewis, “the United States has provided approximately \$3.8 billion in security assistance since Russia launched its unprovoked and brutal further assault against Ukraine, including approximately \$4.5 billion since the beginning of the Biden-Harris Administration in January 2021, and more than \$6.5 billion since Russia’s initial invasion in 2014.”<sup>1</sup> This does not include the pending \$40 billion. This aid package is three times more than the amount Europe has provided, despite having a comparable GDP. The funding for Ukraine is more than the annual budget of the U.S. Department of Justice, more than any yearly security assistance to a single country in history including to Iraq, Afghanistan, and Israel.<sup>2</sup> It is nearly the entire budget that Germany spends on

---

<sup>1</sup> Jessica Lew, Assistant Secretary Bureau of Political-Military Affairs, [Opening Statement to Senate Foreign Relations Committee: “U.S. Efforts to Support Ukraine Against Russian Aggression,”](#) May 12, 2022.

<sup>2</sup> John Hudson, [“Flood of weapons to Ukraine raises fear of arms smuggling,”](#) *The Washington Post*, May 14, 2022.

their national defense.<sup>3</sup> It is two thirds the entire budget of Russia's military expenditure in 2020.<sup>4</sup>

Most importantly, this money has not been tracked in any meaningful way nor have the American people or elected officials been informed of its effectiveness or use. This poses a threat to the financial well-being of our country as well as the security of civilians throughout America, Europe, and beyond. If just one of the more than 1,400 Stinger anti-aircraft systems, 5,500 Javelin anti-armor systems, or other weapons fell into the hands of a terrorist organization, the consequences could be devastating for the American people.<sup>5</sup> Therefore, many members of the House and Senate, including many of the undersigned, opposed the additional \$40 billion in security aid while at the same time greatly sympathizing with the plight and fight of the Ukrainian people. It is the duty of this administration and Congress to spend the American people's money wisely and safely.

As you know, nearly 40 countries have promised to provide billions of dollars in military equipment and weapons to Ukraine since the war started in February.<sup>6</sup> The U.S. has by far been the largest supplier of these weapons and funds. However, little oversight has been provided on where these weapons are going and whether they remain in the hands of their intended recipients. While we condemn the Russian invasion, the violation of Ukrainian sovereignty, and the senseless killings of innocent civilians, it is important for American policy makers and military professionals to ensure the long-term safety of Americans.

According to the Global Organized Crime Index, Ukraine is described as "one of the largest arms trafficking markets in Europe."<sup>7</sup> The Washington Post has noted that Ukraine's "history as a hub for arms trafficking dates to the fall of the Soviet Union ... with combatants looting arms and munition-storage facilities of Ukraine in [2014] ... providing a boon to the country's black market run by Mafia-style groups in Donbas region and other criminal networks." Prior to the most recent 2022 invasion of Ukraine by Russia, Ukraine authorities had great difficulty in preventing the theft and sale of military property. According to a 2017 Small Arms Survey briefing on arms trafficking, over 300,000 small arms disappeared from Ukraine between 2013 and 2015 and only 13 percent were recovered.<sup>8</sup> Criminal networks, corrupt officials, and underpaid military personnel can make a profitable business from the sale of arms from Ukrainian military stockpiles. For example, in 2019, the Ukrainian Security Service uncovered a plot by Ukrainian soldiers to sell 40 RGD-5 grenades, 15 grenade launchers, 30 grenade detonators, and 2,454 rounds of ammunition for 75,000 Ukrainian hryvnia or around \$2,900.<sup>9</sup> In

---

<sup>3</sup> Alexandria Marksteiner, "[Explainer: The proposed hike in German military spending](#)," Stockholm International Peace Research Institute, March 25, 2022.

<sup>4</sup> Stockholm International Peace Research Institute, "[World military spending rises to almost \\$2trillion in 2020](#)," April 26, 2021.

<sup>5</sup> Jessica Lew, Assistant Secretary Bureau of Political-Military Affairs, "[Opening Statement to Senate Foreign Relations Committee: 'U.S. Efforts to Support Ukraine Against Russian Aggression'](#)," May 12, 2022.

<sup>6</sup> Jessica Lew, Assistant Secretary Bureau of Political-Military Affairs, "[Opening Statement to Senate Foreign Relations Committee: 'U.S. Efforts to Support Ukraine Against Russian Aggression'](#)," May 12, 2022.

<sup>7</sup> Global Organized Crime Index, [Profile: Ukraine](#).

<sup>8</sup> Anton Martyniuk, "[Measuring Illicit Arms Flows: Ukraine](#)," *Small Arms Survey*, April 2017.

<sup>9</sup> Matt Schroeder and Olena Shumska, "[Making the Rounds: Illicit Ammunition in Ukraine](#)," *Small Arms Survey*, January 2021.



Zhytomyr in 2020, authorities discovered a rocket launcher in a dumpster, and that same year in Odessa 18 RGD-5 grenades, 12 F-1 grenades, and 2 anti-tank mines were recovered near a power facility after they were stolen by a Ukraine soldier who sold two grenades prior to his arrest.<sup>10</sup>

According to CNN, the “U.S. has few ways to track the substantial supply of anti-tank, anti-aircraft and other weaponry it has sent across the border into Ukraine ... a blind spot that's due in large part to the lack of US boots on the ground in the country—and the easy portability of many of the smaller systems now pouring across the border.”<sup>11</sup> The flow of weapons to unstable war zones have had real consequences for Europeans. According to several sources, “the November 13, 2015 Paris attackers used two Zastava M-70 assault rifles from former Yugoslavia. The trail of the weapons used in the 2015 terror attacks on the satirical newspaper Charlie Hebdo also led to the Balkans. When a Kosovar terror cell in Italy and Kosovo was busted ... , a large number of illegal weapons were found in a Kosovar village.” According to the Economist, the “tendency of guns from the Balkans to show up in terrorist attacks in Europe is no surprise. The wars attending the breakup of Yugoslavia in the 1990s, and the near collapse of the Albanian state in 1997, left a vast supply of small arms in the region. One study estimated the number of firearms in private hands in the Balkans at over 6m, most of them unregistered.”<sup>12</sup> According to one U.S. official, “We have fidelity for a short time, but when it enters the fog of war, we have almost zero ... It drops into a big black hole, and you have almost no sense of it at all after a short period of time.”<sup>13</sup> Such concerns are only heightened by the fact that Transparency International's 2021 Corruption Perceptions Index, ranked Ukraine 122nd out of 180 countries in 2021 and as the second most corrupt government in Europe.<sup>14</sup> However, your administration has appeared blasé in the face of such threats.

Your administration has not detailed to Congress or the American people the system used to monitor and track the weapons they are sending into this conflict. It is unclear if the executive branch is adhering to the strict requirements of the Arms Export Control Act, which already requires the U.S. government to ensure “end-use monitoring of defense articles and defense services.”<sup>15</sup> It appears that effective end-use monitoring has been completely neglected. In 2020, the Department of Defense Inspector found that the DOD end-use monitor database related to military equipment supplied to Ukraine “was inaccurate because the Armed Forces of Ukraine did not always report the loss, theft, or destruction of its U.S.-provided [enhanced end-use monitoring -designated] [night vision devices] in a timely manner, as required.”<sup>16</sup> This is also seen in other war zones into which the DOD has sent weapons. In

---

<sup>10</sup> Matt Schroeder and Olena Shumska, “[Making the Rounds: Illicit Ammunition in Ukraine](#),” *Small Arms Survey*, January 2021.

<sup>11</sup> Katie Bo Lillis, Jeremy Herb, Natasha Bertrand, and Oren Liebermann, “[What happens to weapons sent to Ukraine? The US doesn't really know](#),” *CNN*, April 19, 2022.

<sup>12</sup> *The Economist*, “[Ask not from whom the AK-47s flow](#),” April 16, 2016.

<sup>13</sup> Katie Bo Lillis, Jeremy Herb, Natasha Bertrand, and Oren Liebermann, “[What happens to weapons sent to Ukraine? The US doesn't really know](#),” *CNN*, April 19, 2022.

<sup>14</sup> Transparency International, [Corruption Perceptions Index: Ukraine](#).

<sup>15</sup> Taylor Giorno, “[Risk of weapons vanishing as over 20 countries send arms to Ukraine](#),” *Responsible Statecraft*, March 7, 2022.

<sup>16</sup> Department of Defense Office of Inspector General, “[Evaluations of Department of Defense Enhances End-Use Monitoring for Equipment Transferred to the Government of Ukraine](#),” August 31, 2020.

Afghanistan, Special Inspector General for Afghanistan Reconstruction (SIGAR) pointed out that DOD did not meet enhanced [End Use Monitoring] requirements to account for all sensitive defense articles transferred to the Afghan government; the requirements are designed to minimize national security risks by preventing the diversion or misuse of defense articles that incorporate sensitive technology.”<sup>17</sup> Further, DOD officials admitted that “DOD’s [End Use Monitoring] program was not designed to operate in combat environments, such as Afghanistan.”<sup>18</sup>

In light of the serious risk to the American people that comes with sending weapons into an unstable war zone with a history of arms trafficking, we ask the following:

- What steps has Ukraine taken to ensure weapons supplied to them are not falling into the hands of criminal networks or being sold for profit?
- How exactly is the U.S. government complying with the Arms Export Control Act and ensuring that “end-use monitoring of defense articles and defense services” adhere to all foreign military sales standards?
- Has the U.S. discovered whether any weapons previously provided to Ukraine were diverted from their intended recipients or stolen? Have any of the weapons fallen in the hands of criminals or terrorists?
- Are you and your administration confident that you have effective end-use monitoring capabilities in place and enough resources to ensure no weapons will be used against U.S. citizens or those of allied nations, like weapons from the Balkans which were used in recent European terror attacks?
- Will the administration commit to the creation of a special monitor to ensure that funds sent under this and other aid packages to Ukraine are not subject to waste, fraud, and abuse and comply with all Arms Export Control Act requirements? This monitor should be modeled after the Special Inspector General for Afghanistan Reconstruction.

Given the time-sensitive nature of this pressing issue, we ask that you respond to the following questions by Monday, May 27<sup>th</sup> at 5:00 PM EDT. Thank you for your prompt response and we look forward to hearing from you.

Sincerely,



Yvette Herrell  
Member of Congress





Brian Mast  
Member of Congress


<sup>17</sup> Special Inspector General for Afghanistan Reconstruction, “[Military Equipment Transferred to the Afghan Government: DOD Did Not Conduct Required Monitoring to Account for Sensitive Articles](#),” December 2020.


<sup>18</sup> Special Inspector General for Afghanistan Reconstruction, “[Military Equipment Transferred to the Afghan Government: DOD Did Not Conduct Required Monitoring to Account for Sensitive Articles](#),” December 2020.



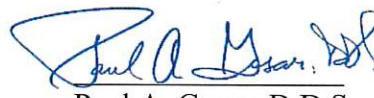
  
Michael Cloud  
Member of Congress


  
W. Gregory Steube  
Member of Congress

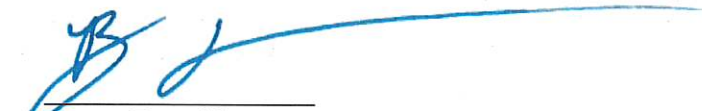
  
Jeff Van Drew  
Member of Congress

  
Jody Hice  
Member of Congress

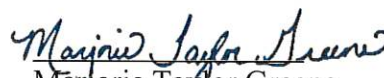
  
Bob Good  
Member of Congress

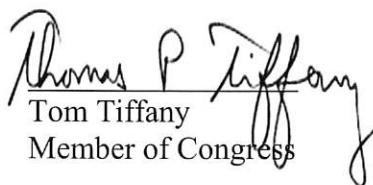
  
Paul A. Gosar, D.D.S.  
Member of Congress


  
Bob Gibbs  
Member of Congress


  
Bryon Donalds  
Member of Congress

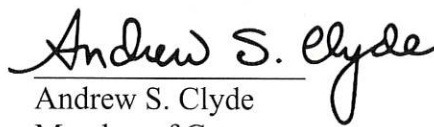
  
Dan Bishop  
Member of Congress

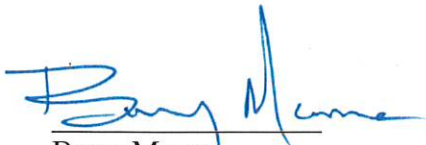
  
Marjorie Taylor Greene  
Member of Congress

  
Tom Tiffany  
Member of Congress

  
Ralph Norman  
Member of Congress

  
Matthew Rosendale, Sr.  
Member of Congress

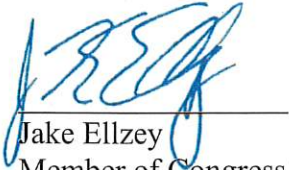
  
Andrew S. Clyde  
Member of Congress



Barry Moore  
Member of Congress



Clay Higgins  
Member of Congress



Jake Ellzey  
Member of Congress



Beth Van Duyne  
Member of Congress