



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

December 11, 2019

Mr. Tom Armstrong  
General Counsel  
Government Accountability Office  
Washington, D.C. 20548

RE: B-331564, *Office of Management and Budget – Withholding of Ukraine Security Assistance*

Dear Mr. Armstrong:

This responds to your letter of November 25, 2019, seeking the Office of Management and Budget's (OMB) views on its apportionment of funds for security assistance for Ukraine during the fourth quarter of fiscal year (FY) 2019.

**Background**

For FY 2019, Congress appropriated \$250 million to the Department of Defense (DOD) for the Ukraine Security Assistance Initiative (USAI).<sup>1</sup> On June 19, 2019, OMB learned that the President had asked about DOD's plans for USAI. At that time, OMB began discussions with DOD regarding DOD's plans for obligating the USAI funds. In response to the Administration's directive that USAI funds not be obligated for Ukraine pending a policy decision, on July 25, 2019, OMB, following discussions with DOD, including DOD's Office of General Counsel, placed a footnote on the apportionment for the account that includes the USAI funds (Operation & Maintenance, Defense-wide, Treasury Appropriation Fund Symbol (TAFS) 97-0100/2019) that stated:

Amounts apportioned, but not yet obligated as of the date of this reapportionment, for the Ukraine Security Assistance Initiative (Initiative) are not available for

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<sup>1</sup> That appropriation provided, in relevant part:

For the "Ukraine Security Assistance Initiative", \$250,000,000 is hereby appropriated, to remain available until September 30, 2019: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; lethal assistance; logistics support, supplies and services; sustainment; and intelligence support to the military and national security forces of Ukraine, and for replacement of any weapons or articles provided to the Government of Ukraine from the inventory of the United States: *Provided further*, That of the amounts made available in this section, \$50,000,000 shall be available only for lethal assistance described in paragraphs (2) and (3) of section 1250(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114– 92; 129 Stat. 1068)....

Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, Pub. L. No. 115-245, div. A, § 9013, 123 Stat. 2981, 3044-45 (2018).