

Congress of the United States
Washington, DC 20515

September 30, 2026

The Honorable Marco Rubio
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Secretary Rubio,

We are writing regarding the State Department's last-minute effort to reprogram more than \$52 million in Foreign Military Finance (FMF) funds that Congress specifically appropriated for Ukraine, our European allies supporting Ukraine, and other Middle East partners and to instead send those funds to Colombia, Ecuador, Panama and Peru. We are deeply concerned that the Department has failed to justify how this decision complies with the law. We urge you to utilize the funds for the purpose required by Congress.

We are also writing to formally re-notify you that the hold on the reprogramming of these funds remains in effect. We will consider a breach of this hold and the transfer of funds to violate statutory requirements and to have consequences for the Department's relationship with our committees.

On September 15, 2026, the Department notified Congress of its intent to transfer \$52,100,000 in funds, the majority of which Congress appropriated through the Additional Ukraine Supplemental Appropriations Act of 2022 (P.L. 117-128) to instead support programs in Colombia, Ecuador, Panama, and Peru. In May 2022, with broad bipartisan support, both chambers of Congress provided these funds for a very specific purpose: supporting Ukraine and our European allies in the wake of Russia's full-scale invasion.

Congress provided specific limitations on the reprogramming of funds in the Ukraine supplemental. Section 505(d) of P.L. 117-128 states that relevant Foreign Military Financing (FMF) funds may only be transferred to, and merged with, funds appropriated under headings in that title for use "to respond to the situation in Ukraine and in countries impacted by the situation in Ukraine." The Executive Branch does not have unlimited discretion to redirect these funds toward unrelated Administration policy priorities or countries.

During bipartisan briefings to the House Foreign Affairs Committee and Senate Foreign Relations Committee, the Department failed to explain how funds reprogrammed from the Europe and Eurasia region would be used for purposes consistent with the statute if transferred to countries in the Western Hemisphere.

Despite the statutory requirements, on several occasions during the briefings, briefers cited the National Security Strategy and National Defense Strategy as justifications for reprogramming, describing it as part of a refocused approach to the Western Hemisphere. On September 29, the Department provided written responses to the Committees' questions on: (1) whether other countries in Europe were considered for the reprogrammed funds; and (2) the justification for the Department's position that Colombia, Ecuador, Panama, and Peru have been "impacted by the situation in Ukraine." The Department's written responses provided no additional information and no compelling explanation for either question. The Department also confirmed that Colombia, Ecuador, Panama, and Peru have not provided meaningful security assistance to Ukraine or other European allies and partners impacted by Russia's war in Ukraine.

To date, the Department has failed to justify its proposal to reprogram funds that were specifically appropriated by Congress for a particular national security objective: aiding Ukraine and countries impacted by the war in Ukraine.

The proposed reprogramming of these funds violates statutory requirements and therefore the hold on any reprogramming of these funds remains in place.

We look forward to your prompt response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gregory W. Meeks".

GREGORY W. MEEKS
Ranking Member
House Foreign Affairs Committee

A handwritten signature in blue ink, appearing to read "Jeanne Shaheen".

JEANNE SHAHEEN
Ranking Member
Senate Foreign Relations Committee