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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To establish officials and institutions for the strengthening of the partnership and cooperative transparency between the United States and Ukraine.

IN THE HOUSE OF REPRESENTATIVES

Mr. FITZPATRICK introduced the following bill; which was referred to the Committee on _____

A BILL

To establish officials and institutions for the strengthening of the partnership and cooperative transparency between the United States and Ukraine.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Partnership and Coop-
5 erative Transparency with Ukraine Act” or “PACT with
6 Ukraine Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) Ukraine is a sovereign and independent
2 state and is endowed with the territorial integrity,
3 privileges, and rights of such a state under inter-
4 national law.

5 (2) Since the collapse of the Union of Soviet
6 Socialist Republics (USSR) and subsequent forma-
7 tion of the Russian Federation in 1991, associated
8 Russian individuals, agents, and state institutions
9 have systematically sought to undermine, threaten,
10 jeopardize, and violate the sovereignty and independ-
11 ence of Ukraine.

12 (3) The Russian Federation has since 2014 and
13 continues to conduct an illegal, unprovoked, full-
14 scale invasion and occupation of multiple regions
15 and areas of Ukraine.

16 (4) Ukraine has and continues to resiliently re-
17 sist the Russian Federation's invasion and occupa-
18 tion, preventing the Russian Federation from achiev-
19 ing its authoritarian and despotic objectives of con-
20 quering Ukraine and oppressing the Ukrainian peo-
21 ple.

22 (5) The armed forces committed by the Russian
23 Federation to invade and occupy Ukraine have and
24 continue to violate international law and human
25 rights by perpetrating war crimes, crimes against

1 humanity, and other atrocities in Ukraine and
2 against the people of Ukraine.

3 (6) The Russia Federation's invasion and occu-
4 pation of Ukraine has created humanitarian and
5 economic crises with local, regional, and inter-
6 national impact and as such, has resulted in the ne-
7 cessity for the provision of aid and assistance to
8 Ukraine.

9 (7) The United States, alongside our European
10 allies and partners, have committed substantial
11 amounts of financial and material aid to Ukraine in
12 resounding support of its resistance against the Rus-
13 sian Federation's invasion and occupation.

14 (8) Congress has a responsibility to conduct
15 oversight and ensure accountability of all Federal
16 appropriations, as well as actions taken by the Presi-
17 dent and the Administration in the course of ex-
18 pending Federal appropriations and the operation of
19 the Federal Government.

20 (9) Cooperative transparency with regard to the
21 financial and material aid provided by the United
22 States Government to Ukraine is essential to the
23 continuance of the strong partnership between the
24 United States and Ukraine, to the defense and in-
25 tegrity of Ukraine as a sovereign and independent

1 state, and to ensure an end to the Russian Federa-
2 tion’s invasion and occupation of Ukraine.

3 **SEC. 3. UNITED STATES SPECIAL ENVOY FOR PARTNER-**
4 **SHIP WITH UKRAINE.**

5 Title I of the State Department Basic Authorities Act
6 of 1956 (22 U.S.C. 2651a et seq.) is amended by adding
7 at the end the following:

8 **“SEC. 64. UNITED STATES SPECIAL ENVOY FOR PARTNER-**
9 **SHIP WITH UKRAINE.**

10 “(a) IN GENERAL.—There is established within the
11 Department of State a Special Envoy for Partnership with
12 Ukraine (in this section referred to as the ‘Special
13 Envoy’).

14 “(b) NOMINATION; QUALIFICATIONS.—

15 “(1) NOMINATION.—The Special Envoy shall be
16 appointed by and report directly to the President.

17 “(2) QUALIFICATIONS.—The Special Envoy
18 should be an individual with—

19 “(A) detailed knowledge of the historical
20 dynamics between Ukraine and Russia; and

21 “(B) detailed experience, expertise, or
22 knowledge in the fields of diplomacy, economics,
23 or foreign relations.

24 “(c) DUTIES.—The Special Envoy shall—

1 “(1) in support of with the official diplomatic
2 presence of the United States in Ukraine, be respon-
3 sible for maintaining and bolstering the partnership
4 between the people of Ukraine and the people of the
5 United States; and

6 “(2) serve as a primary advisor to the President
7 on—

8 “(A) matters relating to—

9 “(i) preserving the culture and herit-
10 age of the Ukrainian people;

11 “(ii) strengthening economic oppor-
12 tunity and prosperity in Ukraine;

13 “(iii) strategizing post-conflict recon-
14 struction in Ukraine;

15 “(iv) encouraging resilience and ac-
16 countability for Ukraine’s governmental
17 and societal institutions; and

18 “(v) promoting peace; and

19 “(B) such other matters that the President
20 shall determine necessary.

21 “(d) RANK AND STATUS OF AMBASSADOR.—The
22 Special Envoy shall have the rank of ambassador and shall
23 hold the office at the pleasure of the President.”.

1 **SEC. 4. COMMISSION ON COOPERATIVE TRANSPARENCY**
2 **WITH UKRAINE.**

3 (a) **IN GENERAL.**—There is established a commission
4 to be known as the “Commission on Cooperative Trans-
5 parency with Ukraine” (in this section referred to as the
6 “Commission”).

7 (b) **PURPOSE.**—The purpose of the Commission shall
8 be to maintain cooperative transparency with Ukraine by
9 examining, evaluating, and investigating various aspects
10 regarding financial and material aid that has and con-
11 tinues to be provided by the United States Government
12 to Ukraine.

13 (c) **MEMBERSHIP.**—

14 (1) **IN GENERAL.**—The Commission shall be
15 composed of 10 voting members who shall be respon-
16 sible for the business of the Commission, and 4 non-
17 voting members who shall act in a strictly advisory
18 capacity.

19 (2) **VOTING MEMBERS.**—The voting members of
20 the Commission shall be appointed as follows:

21 (A) One member shall be appointed by the
22 President who shall serve as chair of the Com-
23 mission.

24 (B) One member shall be appointed by the
25 Speaker of the House of Representatives who
26 shall serve as vice chairman of the Commission.

1 (C) Two members shall be appointed by
2 the majority leader of the House of Representa-
3 tives.

4 (D) Two members shall be appointed by
5 the minority leader of the House of Representa-
6 tives.

7 (E) Two members shall be appointed by
8 the majority leader of the Senate.

9 (F) Two members shall be appointed by
10 the minority leader of the Senate.

11 (3) NON-VOTING MEMBERS.—The non-voting
12 members of the Commission shall be appointed as
13 follows:

14 (A) The United States Special Envoy for
15 Ukraine established under section 64 of the
16 State Department Basic Authorities Act of
17 1956 (as added by section 3).

18 (B) One member of the Office of the In-
19 spector General of the United States Agency for
20 International Development, designated by the
21 Inspector General.

22 (C) One member of the Office of the In-
23 spector General of the Department of State,
24 designated by the Inspector General.

1 (D) One member of the Office of the In-
2 spector General of the Department of Defense,
3 designated by the Inspector General.

4 (d) QUALIFICATIONS.—

5 (1) IN GENERAL.—The voting members of the
6 Commission appointed under subsection (c)(1)—

7 (A) shall be individuals who are prominent
8 United States citizens with detailed experience,
9 expertise, and knowledge in defense, diplomacy,
10 economics, ethics, foreign relations, govern-
11 mental oversight and reform, or national intel-
12 ligence and security; and

13 (B) may not be officers or employees of
14 the Federal Government or any State or local
15 government.

16 (2) ADDITIONAL REQUIREMENT.—Not more
17 than five voting members of the Commission shall be
18 from the same political party.

19 (e) DEADLINE FOR APPOINTMENT.—All members of
20 the Commission shall be appointed or designated not later
21 than 90 days after the date of the enactment of this Act.

22 (f) DUTIES.—The Commission shall—

23 (1) examine the whole amount, type, and man-
24 ner of financial and material aid provided by the
25 United States Government to Ukraine;

1 (2) evaluate the efficiency, effectiveness, deliv-
2 ery, and impact of financial and material aid provide
3 by the United States Government to Ukraine and
4 make recommendations for the improved efficiency,
5 effectiveness, delivery, and impact of such aid; and

6 (3) investigate any misuse, abuse, or theft of fi-
7 nancial or material aid provided by the United
8 States Government to Ukraine and make rec-
9 ommendations for the elimination of any misuse,
10 abuse, or theft of such aid.

11 (g) REPORT.—The Commission shall—

12 (1) submit to Congress and make available to
13 the public on a quarterly basis a report on the find-
14 ings of the Commission; and

15 (2) upon request from any Member of Con-
16 gress, provide to such Member the findings of the
17 Commission.

18 (h) POWERS OF COMMISSION.—

19 (1) SUBPOENA POWER.—

20 (A) IN GENERAL.—In carrying out this
21 section, the Commission may require, by sub-
22 poena or otherwise, the attendance and testi-
23 mony of such witnesses and the production of
24 such books, records, correspondence, memoran-

1 dums, papers, and documents as the Commis-
2 sions deems necessary.

3 (B) ISSUANCE.—A subpoena may be
4 issued under this paragraph subsection only by
5 the agreement of the chair and the vice chair of
6 the Commission or by the affirmative vote of six
7 voting members of the Commission.

8 (C) SERVICE.—A subpoena may be served
9 by any person designated by chair of the Com-
10 mission, in consultation with the vice chair of
11 the Commission, or any such voting member of
12 the Commission designated by the chair in con-
13 sultation with the vice chair.

14 (2) HEARINGS AND EVIDENCE.—The Commis-
15 sion, or on the authority of the Commission, may for
16 the purpose of carrying out this section hold such
17 hearings, sit and act at such times and places, take
18 testimony, and receive such evidence as the Commis-
19 sion may deem advisable.

20 (3) OATHS.—The chair of the Commission, the
21 vice chair of the Commission, or any voting member
22 of the Commission designated by the chair may ad-
23 minister oaths to any witness.

24 (i) OPERATION OF COMMISSION.—

1 (1) INITIAL MEETING.—The Commission shall
2 meet and begin operations of the Commission as
3 soon as practicable, but in any case not later than
4 180 days after the date of the enactment of this Act.

5 (2) QUORUM.—After its initial meeting, the
6 Commission shall meet upon the call of the chair or
7 a majority of its voting members. Six voting mem-
8 bers of the Commission shall constitute a quorum.

9 (3) VACANCY.—Any vacancy in the Commission
10 shall not affect its powers but shall be filled in the
11 same manner in which the original appointment was
12 made and within 90 days of the vacancy.

13 (j) STAFF.—

14 (1) IN GENERAL.—Any Federal Government
15 employee may be detailed to the Commission without
16 reimbursement from the Commission, and such de-
17 tail shall be without interruption or loss of civil serv-
18 ice status or privilege.

19 (2) EXPERTS AND CONSULTANTS.—The Com-
20 mission may procure the services of experts and con-
21 sultants in accordance with section 3109 of title 5,
22 United States Code, at rates not to exceed the daily
23 equivalent of the annual rate of basic pay in effect
24 for a position at level IV of the Executive Schedule
25 under section 5315 of title 5, United States Code.

1 (k) NONAPPLICABILITY OF FEDERAL ADVISORY
2 COMMITTEE ACT.—The Federal Advisory Committee Act
3 (5 U.S.C. App.) shall not apply to the Commission.

4 (l) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to the Commission, for the
6 purpose of carrying out the activities and duties of this
7 section, \$5,000,000 for each fiscal years 2024 through
8 2033.

9 **SEC. 5. UKRAINE OVERSIGHT INTERAGENCY WORKING**
10 **GROUP.**

11 (a) IN GENERAL.—The President is hereby re-
12 quested, and the Ukraine Oversight Interagency Working
13 Group established within the United States Agency for the
14 International Development is hereby directed, to submit
15 to the appropriate congressional committees and leader-
16 ship on a monthly basis a report on the combined efforts
17 of the United States Government in its provision of direct
18 and indirect financial and material aid to Ukraine.

19 (b) MATTERS TO BE INCLUDED.—The report re-
20 quired by subsection (a) shall include the following:

- 21 (1) The whole amount, type, and manner of—
22 (A) financial and material aid—
23 (i) provided by the United States Gov-
24 ernment to Ukraine; and

1 (ii) expended and utilized, respec-
2 tively, by Ukraine;

3 (B) material aid that has been damaged,
4 incapacitated, or destroyed in the course of nor-
5 mal operations in Ukraine; and

6 (C) material aid provided to United States
7 allies for the purposes of replacing material aid
8 provided by such allies to Ukraine.

9 (2) The amount of time between the date on
10 which financial and material aid was provided by the
11 United States Government to Ukraine and the date
12 on which the financial and material aid was ex-
13 pended and utilized, respectively.

14 (3) Any and all verified reports of misuse,
15 abuse, or theft of financial or material aid provided
16 by the United States Government to Ukraine.

17 (c) FORM.—The report required by subsection (a)
18 shall be submitted in an unclassified form, but may con-
19 tain a classified annex.

20 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
21 AND LEADERSHIP DEFINED.—In this section, the term
22 “appropriate congressional committees and leadership”
23 means—

24 (1) the Speaker and the minority leader of the
25 House of Representatives and the Committee on Ap-

1 appropriations, the Committee on Armed Services, the
2 Committee on Foreign Affairs, and the Permanent
3 Select Committee on Intelligence of the House of
4 Representatives; and

5 (2) the majority leader and the minority leader
6 of the Senate and the Committee on Appropriations,
7 the Committee on Armed Services, the Committee
8 on Foreign Relations, and the Select Committee on
9 Intelligence of the Senate.