

POLITICS

GOP Lawmakers' Protest Delays Defense Official's Testimony on Holdup in Ukraine Aid

Laura Cooper, who oversees Ukraine issues at the Pentagon, is latest administration official set to appear before impeachment inquiry



About two dozen GOP representatives sought to disrupt a closed-door committee session on Wednesday. PHOTO: JIM LO SCALZO/EPA/SHUTTERSTOCK

By Andrew Duehren, Gordon Lubold and Jesse Naranjo

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WASHINGTON—A protest by Republican lawmakers delayed for several hours the testimony from a Pentagon official who was expected to discuss the nearly \$400 million in security assistance to Ukraine that was held up by the White House this summer.

Laura Cooper, deputy assistant secretary of defense for Russia, Ukraine and Eurasia, appeared for her deposition at the Capitol Wednesday morning. She was scheduled to be the first Defense Department official to testify before investigators, who have largely heard from State Department officials so far in the investigation.

But the closed-door session was disrupted when a group of roughly two-dozen Republican lawmakers, led by Rep. Matt Gaetz (R., Fla.), marched into the secure room where it was being

held. The protesters included Rep. Steve Scalise (R., La.), the No. 2 Republican in the House, who said that lawmakers were being unfairly denied access, and that Democrats were employing “a one-sided set of rules.”



Laura Cooper arrives at the U.S. Capitol on Wednesday. PHOTO: MANDEL NGAN/AGENCE FRANCE-PRESSE/GETTY IMAGES

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blican lawmakers from the House Intelligence, Oversight and Foreign Affairs committees are allowed in the room, but other lawmakers, including Mr. Gaetz, aren't. The move delayed the deposition, and the situation remained a stalemate into the afternoon, with pizza delivered to protesting Republicans.

After the protesting lawmakers left the room, the deposition finally resumed after 3 p.m., a lawmaker at the hearing said.

About 90 minutes into the session, Rep. David Cicilline (D., R.I.) said Ms. Cooper's testimony so far fit into the narrative of events detailed by other witnesses, such as acting U.S. Ambassador to Ukraine Bill Taylor, who testified on Tuesday.

The action marked the latest and most significant public protest from Republican lawmakers, who have called for the inquiry depositions to be made open to the public. Democrats point to previous House investigations that have had closed-door depositions, and they have said they intend to make transcripts of the testimony public.

Rep. Ted Lieu (D., Calif.), a member of the Intelligence Committee, said Republicans are “freaked out, they're trying to stop this investigation.”

The hold on aid to Ukraine is a central issue in the House impeachment inquiry. Lawmakers are probing whether Mr. Trump conditioned the funding on his request to Ukrainian President Volodymyr Zelensky that Ukraine investigate former Vice President Joe Biden, and his son,

What changes, if any, would you make in the way the Democrats are questioning witnesses in their impeachment inquiry? Join the conversation below.

Hunter Biden, as well as alleged Ukrainian interference in the 2016 U.S. election.

The White House's hold on military aid to Ukraine this summer set off alarms at the Pentagon, according to people familiar with the matter. Ms. Cooper's exact role in the Defense Department's effort to push back on the hold on the money, which was ultimately released in mid-September, isn't known.

After the White House communicated the hold to the Defense and State Departments in July, the Pentagon conducted an internal review of the legality of the hold, according to three people familiar with the matter. Pentagon officials argued that the administration couldn't block money approved by Congress, delivering their analysis to career White House budget office officials at a July meeting, according to two of the people and another person familiar with the matter.

A senior administration official said that lawyers at the Office of Management and Budget and the Defense Department were frequently in touch throughout late July and August about the hold on the aid. Much of the Pentagon funds for Ukraine weren't set to be spent until mid- or late September, according to the official. In paperwork executing the hold, OMB said that the Defense Department could continue to make preparations for the aid to Ukraine, while not actually spending the money, according to the official.

The Wall Street Journal reported earlier this month that the White House gave a politically appointed official the authority to suspend aid to Ukraine amid concern within OMB among career budget staff members about the legality of delaying the aid.

During a press conference last week, acting White House chief of staff Mick Mulvaney, who still holds the title of OMB director, acknowledged the legal questions surrounding holding up the money through the end of the fiscal year.

"We were concerned about in our—over at OMB about an impoundment," Mr. Mulvaney said. "We knew that that money either had to go out the door by the end of September, or we had to have a really, really good reason not to do it. And that was the legality of the issue."

The Pentagon's unease about the aid suspension emanated in part from the Defense Department Comptroller's office after officials there grew frustrated that the military aid, which the Pentagon has long supported for Ukraine, had been held up, according to people familiar with the issue.

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Pentagon officials had also raised concerns to staff on the National Security Council that the hold could cause the money to expire at the end of the fiscal year, according to people familiar with the matter. The hold on the roughly

\$250 million in Defense Department funds was part of a broad delay on nearly \$400 million in security assistance to Ukraine.

Mr. Taylor testified on Tuesday that the Defense Department analyzed the efficacy of the aid, determining the aid was effective and needed to be released, according to a copy of his testimony obtained by the Journal.

An OMB staffer first announced the hold on the aid to Ukraine at a July 18 meeting, catching officials at the Pentagon and State Department off guard, according to Mr. Taylor's testimony before the House and people familiar with the matter.



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In the continuing resolution that passed in September, Congress included a provision that allowed the Defense Department to continue

spending the money after the end of the 2019 fiscal year.

Mr. Trump has denied a “quid pro quo” on the aid, though Mr. Mulvaney said last week that the aid was conditioned on Ukraine investigating a theory, unsupported by evidence, that a hacked Democratic National Committee server from the 2016 U.S. election has since been hidden in Ukraine. Mr. Mulvaney later walked back his remarks.

The House has sought testimony and documents from officials at OMB and the Pentagon, though they both didn't comply with subpoenas for materials related to the hold on the aid. House

Democrats also sought further documents on Wednesday from the State Department, which they say has also failed to comply with a subpoena issued last month. Among other things, the lawmakers seek emails and other communications pertaining to Mr. Trump’s decision to withhold U.S. assistance to Ukraine.

Ms. Cooper appears in a 2018 video posted on Twitter by the U.S. Embassy in Kyiv extolling the importance of military aid to Ukraine to combat Russian aggression.

“You can count on the United States to remain your strong partner in strengthening Ukraine’s military to defend Ukrainian democracy,” Ms. Cooper said in the video.

THE UKRAINE WITNESSES

- Oct. 3: Kurt Volker, former U.S. special representative for Ukraine negotiations, testifies and hands over text messages with other State Department officials that showed officials attempting to use a potential meeting between Mr. Trump and his Ukrainian counterpart as leverage to press Kyiv to investigate Joe Biden.
- Oct. 11: Marie Yovanovitch, former U.S. ambassador to Ukraine, testifies that Mr. Trump sought for over a year to remove her and that his allies, including Rudy Giuliani, Mr. Trump’s personal lawyer, targeted her in a “concerted campaign.”
- Oct. 14: Fiona Hill, President Trump’s former top Russia adviser, testifies that she and other White House officials grew so alarmed by the administration’s efforts to push Ukraine to open certain investigations that they raised objections with a White House lawyer.
- Oct. 15: George Kent, deputy assistant secretary of state, testifies that he had grown concerned that he had been sidelined from Ukraine diplomacy and that he raised concerns in 2015 about Joe Biden’s son serving on the board of a Ukrainian gas company.
- Oct. 16: Michael McKinley, former top aide to Secretary of State Mike Pompeo, testifies that he left his post over frustration with Mr. Pompeo regarding the treatment of Ms. Yovanovitch.
- Oct. 17: Gordon Sondland, U.S. ambassador to the European Union, criticizes President Trump over his efforts to enlist Ukraine in investigating a political rival and says he and other U.S. officials were “disappointed” by the president’s directive to work with Mr. Giuliani on Ukraine matters.
- Oct. 22: Bill Taylor, chargé d’affaires at the U.S. Embassy in Kyiv, testified that President Trump made nearly \$400 million in aid to Ukraine contingent on the Ukrainian president investigating two matters related to U.S. politics.

Scheduled to Testify:

- Oct. 23: Laura Cooper, Defense Department official overseeing Ukraine
 - Oct. 26: Philip Reeker, acting assistant secretary of European and Eurasian affairs
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