

## **Responding to Pence Group's Claims**

**Summary:** The Pence Group's memo ostensibly rebuts Senator Vance's memo on the Ukraine impeachment time bomb. In fact, it underscores the concerns presented in the "Ukraine Impeachment Time Bomb."<sup>1</sup> The Ukraine Impeachment Time Bomb argued that:

The bill includes \$1.6 billion for foreign military financing in Ukraine, and \$13.7 billion for the Ukraine Security Assistance Initiative. These funds expire on September 30, 2025—nearly a year into the possible second term of President Trump.

If President Trump were to withdraw from or pause financial support for the war in Ukraine in order to bring the conflict to a peaceful conclusion, "over the objections of career experts," it would amount to the same fake violation of budget law from the first impeachment, under markedly similar facts and circumstances.

The Pence Group memo stated:

The president's duty to faithfully execute the law is written into the Constitution. It's not an "impeachment time bomb" created by the foreign aid package. Further, Speaker Pelosi and her Democratic House impeached President Trump for conditioning aid to Ukraine under the pretenses of investigating then-likely presidential candidate Joe Biden.<sup>2</sup>

Therefore, they advance the claim that a future president would have a constitutional responsibility to "faithfully execute the law" that requires him to fund Ukraine well into his second term or face a (fake) claim of a constitutional/legal violation. **That is exactly the claim advanced by the Ukraine Supplemental Impeachment Time Bomb.**

**Claim:** If the president wants to cut off federally enacted funding, he must notify Congress and receive approval within 45 days. Otherwise, he must dutifully execute the law as written.

**Response:** This reinforces the main argument advanced by the Ukraine Impeachment Time Bomb: that this supplemental would tie a future president's hands on spending in Ukraine or he would risk impeachment from Democrats on the same absurd grounds as President Trump's first impeachment.

**Claim:** The president's duty to faithfully execute the law is written into the Constitution. It's not an "impeachment time bomb" created by the foreign aid package.

**Response:** As this remark makes clear, the Pence Group argues that the bill that lasts into 2025 and 2026 would require President Trump to fund Ukraine or face impeachment.

**Claim:** Congress routinely appropriates funds across presidential terms. Following the argument to its logical conclusion, all advance appropriations are "impeachment time bombs."

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<sup>1</sup> <https://www.politico.com/f/?id=0000018d-9dc3-d2c1-afdd-fff773190000>

<sup>2</sup> <https://www.foxnews.com/politics/mike-pences-think-tank-rebuts-jd-vances-impeachment-time-bomb-claim-foreign-aid-package>

**Response:** The legal “core” of the Democrats’ farcical first impeachment of President Trump rested on a pause of two appropriations accounts: the Ukraine Security Assistance Initiative and Foreign Military Financing. None of the previous four Ukraine supplemental bills—all of which, like this supplemental, represent funding provided outside of the normal appropriations process—have included USAI with sunset dates stretching into a potential future presidential administration.

The Biden administration, in many instances, requested that this supplemental bill include specific sunset dates enabling them to extend Ukraine aid into the next presidential term, beyond what any of the previous supplemental bills have allowed. For example, while the four previous Ukraine supplemental appropriations for the Economic Support Fund shared the same expiration date of September 30, 2024, the administration requested that this bill appropriate ESF funding “until September 30, 2025,” to facilitate the provision of “12 additional months of direct budget support to Ukraine.” That request was granted in the supplemental bill text that has passed the Senate, with a majority of Senate Republicans voting no.

Administration officials have been transparent about efforts to tie the hands of a future presidential administration, with one revealing to the Washington Post that this supplemental bill is a key component of their plan to “future-proof aid for Ukraine against the possibility that former president Donald Trump wins his reelection bid.” Former senior administration officials, including a former director of the Office of Management and Budget, have validated that this supplemental bill may function as a “secret set of handcuffs” and that opponents of a future president’s Ukraine policy “will use this to try and tie his hands in the initial weeks of his presidency.”<sup>34</sup>

**Claim:** The Pence Group memo suggests that the predicate for the first impeachment was justified by stating in the memo that “pretenses” were needed to investigate Joe Biden.

**Response:** This claim flies in the face of the mountain of evidence of Biden family corruption uncovered by the House Committees on the Judiciary, Accountability and Government Reform, and Ways and Means. Former Vice President Mike Pence’s views on this issue have evolved since his service as Vice President:

“What Democrats are doing in Congress with this partisan impeachment is a disgrace. [...] This sham impeachment should end.” ([Remarks at rally in Holland, MI](#), December 4, 2019).

“As the President said a week ago, he did nothing wrong. The transcript reveals that despite reckless accusations in the media and by Democrats on Capitol Hill that the President threatened aid to Ukraine and demanded a specific act, it just never happened. [...] The ironic thing is that the only time it did happen that we know about is when former Vice President Joe Biden threatened over a billion dollars in aid to Ukraine in exchange for a specific act. In this case, the President has been completely vindicated.” ([Remarks on Lou Dobbs](#), September 25, 2019)

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<sup>3</sup> Richard Grenell (@RichardGrenell), February 12, 2024, <https://x.com/RichardGrenell/status/1757075048584917334?s=20>

<sup>4</sup> Russ Vought (@russvought), February 12, 2024, <https://twitter.com/russvought/status/1757126255894569021?s=20>