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UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

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INTERVIEW OF: :

AMBASSADOR BRIDGET A. BRINK :

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Room SD-342 and via Webex  
Dirksen Senate Office Building  
Washington, D.C.  
Monday, September 21, 2020  
9:09 a.m.

INTERVIEW OF AMBASSADOR BRIDGET A. BRINK

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13 LYDIA WESTLAKE, Senior Advisor, HSGAC

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15 WILLIAM SACRIPANTI, Professional Staff Member, HSGAC

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17 For Senator Grassley:

18 JOSHUA FLYNN-BROWN, Deputy Chief Investigative Counsel,

19 Finance Committee

20 QUINTON BRADY, Investigative Counsel, Finance Committee

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1 APPEARANCES: [Continued]

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4 ROY AWABDEH, Minority Senior Counsel, HSGAC

5 SOUMYALATHA DAYANANDA, Minority Senior Investigative  
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7 YELENA TSILKER, Professional Staff Member, HSGAC

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9 For Senator Wyden:

10 DAVID BERICK, Minority Chief Investigator, Finance  
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12 DAN GOSHORN, Minority Senior Counsel, Finance Committee

13 JOSH HEATH, Minority Investigator, Finance Committee

14 MICHAEL OSBORN-GROSSO, Minority Investigator, Finance  
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25

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## 1 P R O C E E D I N G S

2 MR. FOLIO: Good morning, everyone. This is a  
3 transcribed interview of Ambassador Brink conducted by the  
4 Senate Committee on Homeland Security and Governmental  
5 Affairs and the Senate Committee on Finance. This interview  
6 was requested by Chairman Ron Johnson and Chairman Charles  
7 Grassley as part of the committees' investigation of whether  
8 there were any actual or apparent conflicts of interest or  
9 any other wrongdoing with regard to the Obama  
10 administration's Ukraine policy for Burisma Holdings as well  
11 as related matters.

12 On April 30th, 2020, Chairman Grassley and Johnson  
13 requested Ambassador Brink's appearance for a voluntary  
14 transcribed interview.

15 Ambassador Brink, can you please state your full name  
16 for the record.

17 AMBASSADOR BRINK: Bridget Ann Brink.

18 MR. FOLIO: Good morning, Ambassador Brink. My name is  
19 Joseph Folio, and I am the chief counsel for the Homeland  
20 Security and Governmental Affairs Committee.

21 I'm going to ask first, Chairman Johnson and Chairman  
22 Grassley's staff in the hearing room to introduce  
23 themselves.

24 MR. WITTMANN: Hi, Ambassador Brink. My name is Scott  
25 Wittman. I'm with Chairman Johnson's staff.

1           AMBASSADOR BRINK: Hi, Scott.

2           MR. DOWNEY: Good morning.

3           AMBASSADOR BRINK: I can't hear.

4           MR. DOWNEY: Good morning, Ambassador Brink. I'm Brian  
5 Downey with Chairman Johnson's staff.

6           AMBASSADOR BRINK: Hi, Brian.

7           MR. FLYNN-BROWN: Good morning, Ambassador Brink. My  
8 name is Josh Flynn-Brown. I'm deputy chief investigative  
9 counsel for Chairman Grassley. Today I am joined by my  
10 colleague Quinton Brady. Thank you for your time.

11          AMBASSADOR BRINK: Thank you.

12          MR. FOLIO: Thank you all, and now I will ask Ranking  
13 Member Peters' staff to introduce themselves.

14          MR. SCHRAM: Good afternoon, Ambassador Brink, if I'm  
15 not mistaken, in your time zone.

16          AMBASSADOR BRINK: Yes.

17          MR. SCHRAM: Thank you for participating in today's  
18 interview. My name is Zack Schram. I'm chief counsel for  
19 Ranking Member Peters. We're proud that a Michigander is an  
20 ambassador to the Slovak Republic.

21          AMBASSADOR BRINK: Thank you.

22          MR. SCHRAM: The Minority's participation today is not  
23 an endorsement of the investigation. Based in part on  
24 public statements of the Office of the Director of National  
25 Intelligence and the statement of the Department of Treasury

1 announcing sanctions on Russia election interference actors,  
2 Ranking Member Peters remains alarmed that this  
3 investigation amplifies an act of Russian disinformation  
4 campaign and is intended to interfere in our 2020  
5 presidential election, 43 days from today.

6       We are conducting this interview remotely because we  
7 are in the midst of a pandemic that has created an  
8 extraordinary public health crisis in the United States.  
9 Since this investigation started, 200,000 Americans have  
10 died of COVID. The Homeland Security and Governmental  
11 Affairs Committee has jurisdiction over pandemic  
12 preparedness and response, and yet this committee has now  
13 spent more than twice as much time on the record and this  
14 investigation than it has devoted to all of its COVID  
15 hearings combined.

16       Ranking Member Peters believes that this investigation  
17 is a misuse of committee resources that does not advance the  
18 health, safety, or economic security of Americans,  
19 consistent with our committee's mission.

20       Minority staff have a right and responsibility to be  
21 here today, and we will do our best to ensure that you are  
22 treated fairly, the record is accurate and complete, and  
23 that the national security interest of the United States is  
24 protected.

25       I am joined by my colleagues Roy Awabdeh, Soumya

1 Dayananda, and Yelena Tsilker.

2           AMBASSADOR BRINK: Thank you.

3           MR. FOLIO: I'll first ask for it to be stricken from  
4 the record that Zack was showing me up as far as the time  
5 zones, but other than that, I will respond to Zack just to  
6 note that there's no basis in fact for the claim that this  
7 investigation advances any sort of Russian disinformation  
8 campaign, and we've addressed that numerous times before.  
9 The committee has spent a tremendous amount of time on the  
10 COVID work, both outwardly and the hearings and tireless  
11 work daily behind the scenes.

12           I will ask Ranking Member Wyden's staff to introduce  
13 themselves.

14           MR. BERICK: Good afternoon, Ambassador Brink. I'm  
15 David Berick. I'm the chief investigator for the Democratic  
16 staff on the Finance Committee. We really appreciate you  
17 taking the time to participate today. I know how  
18 challenging this is for those of you representing the U.S.  
19 around the world but especially in Eastern Europe right now.

20           I am joined by Dan Goshorn, Josh Heath, Michael Osborn-  
21 Grosso, who are investigators on our team.

22           Thank you.

23           AMBASSADOR BRINK: Thank you.

24           MR. FOLIO: Thank you, Dave.

25           I'll now ask State Department officials on the line,

1 other than Ambassador Brink, to joint us--or I'm sorry--  
2 identify themselves for the record, please.

3 MR. KILLION: Bill Killion, Legislative Affairs.

4 MR. THOMAS: Ken Thomas, Office of the Legal Advisor.

5 MR. FOLIO: Thank you both.

6 All right. Ambassador Brink, now I will explain how  
7 our interview today will proceed.

8 First, the Federal Rules of Civil Procedure do not  
9 apply to any of the committees' investigative activities,  
10 including transcribed interviews.

11 The way the questioning will proceed is that we will  
12 alternate between the Majority and Minority staffs for one  
13 hour each. The Majority staff will begin and proceed for an  
14 hour. The Minority staff will then have an hour to ask  
15 questions. We will rotate back and forth until there are no  
16 more questions, and the interview will be over.

17 During the interview, we will do our best to limit the  
18 number of people who are directing questions at you during  
19 any given time, and that said, from time to time, there may  
20 be a follow-up question or a clarifying question that may be  
21 useful. And if that's the case, you may hear from other  
22 folks around the virtual table, and if so, I ask everyone to  
23 please take your time and speak clearly and do our best not  
24 to cut each other off or to not interrupt others.

25 The reporter on the line is going to create a verbatim

1 record of what we discuss today. With that in mind,  
2 Ambassador Brink, it is important that you please respond  
3 verbally to questions. The reporter cannot properly record  
4 nonverbal responses or gestures. Do you understand?

5 AMBASSADOR BRINK: Understood.

6 MR. FOLIO: Thank you.

7 We encourage witnesses that appear before the committee  
8 to freely consult with counsel. Do you have counsel present  
9 with you today?

10 AMBASSADOR BRINK: Yes, I do.

11 MR. FOLIO: Counsel, can you please state your name for  
12 the record.

13 MR. MacDOUGALL: Mark MacDougall with Akin Gump  
14 Strauss.

15 MR. FOLIO: Thank you, Mark. And are you joined by co-  
16 counsel?

17 MR. MacDOUGALL: Yeah. Hayley?

18 MS. EVANS: Yes. Hayley Evans with Akin Gump.

19 MR. FOLIO: Thank you, both.

20 Ambassador Brink, we want you to answer our questions  
21 in the most complete and truthful manner possible. So we're  
22 going to take our time. If you have any questions or if you  
23 don't understand our questions, just let us know. We'll be  
24 happy to clarify, okay?

25 AMBASSADOR BRINK: Okay. Thank you.

1           MR. FOLIO: This interview is unclassified. So if the  
2 question calls for any information that you know to be  
3 classified, please state that for the record as well as the  
4 reason for the classification, and then once you've  
5 clarified that, to the extent possible, please respond with  
6 as much unclassified information as you're able to. If we  
7 need to have a classified session or forum later, we can  
8 arrange for that.

9           It is the committee's practice to honor valid common  
10 law privileges as an accommodation to a witness or a party  
11 when those claims are made in good faith and accompanied by  
12 sufficient explanation so the committees can evaluate the  
13 claim. When deciding whether to honor a privilege, the  
14 committees weighs its need for the information against any  
15 legitimate basis for withholding it.

16           This interview is occurring without prejudice to any  
17 future discussions with the committees, and we reserve the  
18 right to request your participation in future interviews or  
19 to compel testimony.

20           Ambassador Brink, if you need to take a break, please  
21 just let us know. We will ordinarily take a five-minute  
22 break at the end of each hour of questioning, but if you  
23 need a break before then, we're happy to accommodate you.

24           AMBASSADOR BRINK: Thank you.

25           MR. FOLIO: Ambassador Brink, you're required to answer

1 questions before Congress truthfully. Do you understand  
2 that?

3 AMBASSADOR BRINK: Yes, I do.

4 MR. FOLIO: And this also applies to questions posed by  
5 congressional staff in an interview. Specifically, 18 USC  
6 Section 1001 makes it a crime to make any materially false,  
7 fictitious, or fraudulent statement or representation in the  
8 course of a congressional investigation. That statute  
9 applies to your statements today. Do you understand that?

10 AMBASSADOR BRINK: Yes, I do.

11 MR. FOLIO: Ambassador Brink, is there any reason you  
12 are unable to provide truthful answers in today's interview?

13 AMBASSADOR BRINK: No, there is not.

14 MR. FOLIO: Finally, we ask that you not speak about  
15 what we discuss in this interview with anyone else outside  
16 of who is in the room today in order to preserve the  
17 integrity of our investigation, and we also ask that you not  
18 remove or make copies of the exhibits from the room. Do you  
19 understand and agree to these terms?

20 AMBASSADOR BRINK: Yes, I understand that.

21 MR. FOLIO: Ambassador Brink, do you have any questions  
22 before we begin?

23 AMBASSADOR BRINK: Just one question. I saw the  
24 Business Committee meeting from last week, and so am I  
25 correct that the transcript of these interviews will be

1 released publicly?

2 MR. FOLIO: Yep, that's correct. That was always  
3 Chairman Johnson's intention, and the committee affirmed  
4 that last week. The only exception, which I think we noted  
5 during the hearing, was that we're going to provide the  
6 opportunity for counsel and the witness to review first, and  
7 if there are any other issues that arise, of course, we  
8 would take those into account before making them--

9 AMBASSADOR BRINK: Okay. Of course, I would probably  
10 need the State Department to review anything, you know, for  
11 any sensitive material that couldn't be public but isn't  
12 necessarily classified.

13 MR. FOLIO: Yeah, we will do that. We've spoken with  
14 current officials, and I think that looped State in for that  
15 same purpose.

16 AMBASSADOR BRINK: Okay. Thank you.

17 MR. FOLIO: Sure think.

18 MR. MacDOUGALL: Mr. Folio, before you get started,  
19 could I clarify a couple things?

20 MR. FOLIO: Sure, Mark.

21 MR. MacDOUGALL: This is not being recorded with  
22 respect to video. The only record of this will be a written  
23 transcript in the traditional form; is that right?

24 MR. FOLIO: Correct.

25 MR. MacDOUGALL: Okay. I just want to make clear that--

1 -and this is--I do this in every--we do not agree with the  
2 committee and the Senate's analysis of where the privilege  
3 applies and where it doesn't. We think that belongs to the  
4 attorney and their client, the attorney and his client. So  
5 if we get into privileged areas, we'll address that then.

6       Because we're on video, we don't have the opportunity  
7 to consult with our client easily. If either Ms. Evans or I  
8 interpose an objection, we'd like you to respect that and  
9 limit the questioning and wait until we have an opportunity  
10 to speak privately to our client. Do you agree with that?

11       MR. FOLIO: Yes, Mark. We'll do our best, and we will  
12 [inaudible].

13       MR. MacDOUGALL: All right. And to the extent we  
14 instruct the client not to answer a question, again, we  
15 would ask you to respect that instruction. If we have to  
16 deal with that after the fact, we will.

17       MR. FOLIO: Yeah, understood. And if we get to that  
18 place--and maybe we won't--, you know, all we'll do is make  
19 sure you understand and just ask the question just to make  
20 sure we're developing a record so we fully understand the  
21 basis for any instruction in advance.

22       MR. MacDOUGALL: Okay. And, finally, there is an  
23 inconsistency that we discovered in the Bates range number  
24 that were given to Ambassador Brink versus what we received  
25 and then what we received from you. So when you get into

1 documents, we're going to need to take extra care to be sure  
2 that the document you're talking about--and the same would  
3 apply to the Minority--is the document we're looking at.

4 MR. FOLIO: Sure thing. I'm sure--have you identified  
5 those records as not being consistent?

6 MR. MacDOUGALL: Well, all of them are inconsistent in  
7 some respects. Ambassador Brink received them in an  
8 electronic form. We received them in a printed form. The  
9 numbers that she had, the electronic index, were not  
10 consistent.

11 What we'll just have to do is describe the documents  
12 and number of pages and any other identifying information to  
13 be sure we're talking about the same thing.

14 MR. FOLIO: All right. We'll do that. All right.  
15 Thank you, Mark.

16 MR. MacDOUGALL: That's all I got.

17 MR. FOLIO: All right. To begin the Majority's one  
18 hour of questions, I believe I'm going to hand it over to  
19 John Flynn-Brown of Senator Grassley's--

20 AMBASSADOR BRINK: Oh, okay.

21 MR. MacDOUGALL: I think Ambassador Brink had a  
22 statement she'd like to make at the outset.

23 MR. FOLIO: Oh, I'm sorry. Go ahead, Ambassador.

24 AMBASSADOR BRINK: Thank you.

25 Thank you to the staff members of the Senate Homeland

1 Security and Finance Committees for the chance to offer an  
2 opening statement. I'm here in response to Chairman  
3 Johnson's and Chairman Grassley's request for a transcribed  
4 interview in connection with their investigation into U.S.  
5 government actions with regard to Burisma Holdings.

6 I was the State Department's Deputy Assistant Secretary  
7 for Ukraine, Moldova, Belarus, Georgia, Azerbaijan, and  
8 Armenia from August 2015 until June 2018, a period spanning  
9 the Obama and Trump administrations. In this capacity, I  
10 was involved in policy formulation and execution toward  
11 these countries together with other members of the U.S.  
12 government.

13 I am a career foreign service officer with 24 years of  
14 experience. My focus has been on securing the freedom and  
15 strengthening the independence of the countries of Europe  
16 and greater Europe. I view this work to which I've  
17 dedicated my professional life as critical to our own  
18 security. It has been my privilege to work with many  
19 members and staff of Congress in its role as a separate but  
20 equal branch of government in this joint effort to advance  
21 the interests and values of the United States.

22 Our collective effort has created more stable and  
23 capable allies and partners, open markets for U.S. goods and  
24 military sales, and created partnerships that advance global  
25 strategic priorities that protect and defend the people of

1 the United States.

2 Over my career, I have served Republican and Democratic  
3 administrations with equal dedication and commitment and  
4 currently have the honor of a lifetime to be the President's  
5 representative and U.S. ambassador to Slovakia.

6 Hailing from Grand Rapids, Michigan, as a kid, I drove  
7 every day by a sign celebrating my hometown as the childhood  
8 home of Gerald Ford. President Ford was known for his  
9 extraordinary decency, kindness, and honesty.

10 I entered my life of public service with the values I  
11 learned from my family and this community, the importance of  
12 working hard, never giving up, and doing the right thing I  
13 carry with me the values of the Midwest and the unrelenting  
14 support of my friends and family as I undertake this role.

15 I take with utmost solemnity the oath I took upon my  
16 entry into the foreign service and again upon becoming  
17 Ambassador that I will support and defend the Constitution  
18 of the United States against all enemies, foreign and  
19 domestic, that I will bear true faith and allegiance to the  
20 same, that I take this obligation freely, without any  
21 mental reservation or purpose of evasion, and that I will  
22 well and faithfully discharge the duties of the office, so  
23 help me God.

24 Protecting the values and interests of the American  
25 people by deepening the bond between the United States and

1 Europe has been my life's mission of which I am deeply  
2 proud.

3       It is one that stems from my own personal background.  
4 I'm the granddaughter of two World War II veterans.  
5 According to family lore, my grandfather, an Army doctor,  
6 treated General Eisenhower during a critical moment in the  
7 war. General Eisenhower, of course, went on to become the  
8 first Supreme Allied Commander of NATO and the 34th  
9 President of the United States.

10       I'm also the daughter of a former teacher and  
11 prosecutor. In my family, there is nothing more valued than  
12 the life of service, and as a mom and a wife, this life has  
13 been one of sacrifice and service, not just by me, but also  
14 by my husband, also a career foreign service officer, our  
15 two children, and every one of our extended family. This is  
16 true for all of us who have made a commitment to serve the  
17 Nation in this way.

18       I want to relay how proud I am to be a part of our  
19 career foreign service, underscore what an important role it  
20 plays in our democracy, and pay tribute to all those who  
21 make this choice and to their family members who also  
22 sacrifice so much to serve our great country.

23       Thank you, and I'm glad to answer your questions.

24       MR. FOLIO: Thank you, Ambassador Brink.

25       I'll turn the questioning over to Josh Flynn-Brown from

1 Chairman Grassley's staff to begin the questioning.

2 MR. FLYNN-BROWN: Ambassador Brink, can you hear me  
3 okay?

4 AMBASSADOR BRINK: I can. There's some strange noise  
5 in the background, but yes.

6 MR. FLYNN-BROWN: Ambassador, you addressed some of  
7 these issues in your opening statement. I'm going to go  
8 ahead and ask them for the record here.

9 So during the Obama administration, what positions did  
10 you hold at the State Department?

11 AMBASSADOR BRINK: During the Obama administration, I  
12 was--I just have to think about it. Can you give me a  
13 second?

14 MR. FLYNN-BROWN: Sure.

15 [Pause.]

16 AMBASSADOR BRINK: Okay. If I could just go through  
17 them in chronological order, that's sort of how I think  
18 about my own career. So from 2008 to 2009, I was deputy  
19 director in the State Department Office of Southern Europe,  
20 which is responsible for Turkey, Greece, and Cyprus.

21 From 2009 until 2010, I was a director at the National  
22 Security Council for the Aegean and the Caucasus, and that  
23 was responsible for coordination of policy with Turkey,  
24 Greece, Cyprus, and Georgia, Azerbaijan, Armenia.

25 From 2011 to 2014, I was the deputy chief of mission in

1 our U.S. Embassy in Tbilisi, Georgia.

2 From 2014 to 2015, I was the deputy chief of mission at  
3 our U.S. Embassy in Tashkent, Uzbekistan.

4 And then from 2015 to 2016, at the end of the Obama  
5 administration, I was Deputy Assistant Secretary in the  
6 European Bureau at the State Department, and my  
7 responsibility was for six countries: Ukraine, Belarus,  
8 Moldova, Georgia, Azerbaijan, and Armenia.

9 MR. FLYNN-BROWN: What were your responsibilities  
10 regarding U.S.-Ukraine policy in those positions?

11 AMBASSADOR BRINK: Well, only in that last position was  
12 I--had any responsibility for Ukraine, and in my role as the  
13 Deputy Assistant Secretary, I was one of the policymakers  
14 for Ukraine and was responsible for helping to both  
15 formulate and execute foreign policy of the United States  
16 towards Ukraine.

17 MR. FLYNN-BROWN: Who at the State Department did you  
18 report to when you were Deputy Assistant Secretary in the  
19 Bureau of European and Eurasian Affairs?

20 AMBASSADOR BRINK: I reported to the Assistant  
21 Secretary, Victoria Nuland.

22 MR. FLYNN-BROWN: And who was on your team when you  
23 were Deputy Assistant Secretary?

24 AMBASSADOR BRINK: Well, I was responsible for two  
25 offices in the State Department, an office that was

1 responsible for Ukraine and an office that was responsible  
2 for--well, Ukraine, Moldova, and Belarus--and an office that  
3 was responsible for the countries of the Caucasus.

4 MR. FLYNN-BROWN: Are you able to say the individuals'  
5 names who made up that team?

6 AMBASSADOR BRINK: Yes. Just give me a second. Let me  
7 just think about if I had turnover.

8 [Pause.]

9 AMBASSADOR BRINK: You're interested in the  
10 [inaudible], right? That's the one you're asking about?

11 MR. FLYNN-BROWN: Yes.

12 AMBASSADOR BRINK: So the office director worked for  
13 me, and I don't remember the exact time period, but for the  
14 first part of the time was Alexander [inaudible]. And then  
15 subsequent to that, although I can't remember when the  
16 change took place in terms of administration, was Jorgan  
17 Andrews.

18 MR. FLYNN-BROWN: Thank you.

19 Are you aware of whether or not the United States  
20 government viewed Burisma as a corrupt company?

21 AMBASSADOR BRINK: I don't know.

22 MR. FLYNN-BROWN: Would you agree that Burisma has a  
23 reputation for engaging in corrupt activity?

24 AMBASSADOR BRINK: What I know is that Ambassador Pyatt  
25 called out an incident that happened in 2013 prior to my

1 arrival as Deputy Assistant Secretary where Burisma and/or  
2 the owner--I don't know who exactly it was. Allegedly there  
3 was \$23 million in the United Kingdom, and that for reasons  
4 unknown, the prosecutor general's office at the time did not  
5 give the information that was required to allow the United  
6 Kingdom to keep the money, and the money--what happened, the  
7 money had to be released and went to some offshore place in  
8 [inaudible] understanding.

9 [Technical problems.]

10 MR. MacDOUGALL: Yeah, Mr. Flynn-Brown, I think it's  
11 coming in an echo in your hearing room. If it's possible  
12 for you to mute while the witness is speaking, that might  
13 take care of the problem. That's the only solution I can  
14 think of.

15 MR. FLYNN-BROWN: Well, we can try that. I think  
16 everyone in the hearing room is on mute right now. I'm  
17 getting a thumbs up from our tech guy in here, too.

18 MR. SCHRAM: Josh, we think if you can mute after you  
19 ask your question, that might address it.

20 MR. MacDOUGALL: Yeah, that's what I'm saying.

21 MR. FLYNN-BROWN: Yes, that's what I heard. So we will  
22 give that a shot. Stand by. Hold on one second.

23 [Pause.]

24 MR. FLYNN-BROWN: Ambassador Brink, can you still hear  
25 me?

1           AMBASSADOR BRINK: Yes.

2           MR. FLYNN-BROWN: Are you aware of whether or not the  
3 United States Government viewed Mykola Zlochevsky, the owner  
4 of Burisma, as a corrupt person?

5           AMBASSADOR BRINK: No, I don't know.

6           MR. FLYNN-BROWN: Was the Ukrainian Government  
7 supported by corruption in the natural gas and energy  
8 sector?

9           AMBASSADOR BRINK: I'm sorry. Could you repeat that  
10 question?

11          MR. FLYNN-BROWN: Was the Ukrainian Government  
12 supported by corruption in the natural gas and energy  
13 sector?

14          AMBASSADOR BRINK: I mean, I would probably put it a  
15 different way. I would say that corruption was endemic,  
16 widespread, and a big problem in Ukraine in every sector.  
17 Energy sector in this part of the world is always one that's  
18 specifically--has specific challenges with corruption  
19 because of the amount of money that's involved. So I would  
20 just say it was an enormous problem, and as the U.S.  
21 Government, our job was to push for reform and  
22 anticorruption efforts because we were spending a lot of  
23 taxpayer money in order to support this government. And  
24 that's what we did.

25          MR. FLYNN-BROWN: What kind of a relationship did

1 Burisma have with the Ukrainian Government?

2       AMBASSADOR BRINK: I don't know.

3       MR. FLYNN-BROWN: Do you know whether the Ukrainian  
4 Government had a strong interest in the United States taking  
5 a favorable position regarding Burisma?

6       AMBASSADOR BRINK: I don't know. Burisma was one of a  
7 number of entities, and the owner, a number of oligarchs  
8 that operate in Ukraine. I wouldn't say Burisma was a big  
9 player as far as I knew. There were much more bigger  
10 players.

11       MR. FLYNN-BROWN: So was Zlochevsky known as an  
12 oligarch?

13       AMBASSADOR BRINK: I don't know. I don't think I even  
14 knew the owner of Burisma until his name started appearing  
15 later in the press.

16       MR. FLYNN-BROWN: Do you know whether Burisma served as  
17 a vehicle to enrich Ukrainian Government officials?

18       AMBASSADOR BRINK: I don't know.

19       MR. FLYNN-BROWN: Do you know whether Burisma served as  
20 a vehicle to enrich Ukrainian political parties?

21       AMBASSADOR BRINK: I don't know.

22       MR. FLYNN-BROWN: Are you aware of whether or not  
23 Burisma and Zlochevsky took directions from any Ukrainian  
24 Government official?

25       AMBASSADOR BRINK: I don't know.

1 MR. FLYNN-BROWN: Are you aware of whether or not--

2 AMBASSADOR BRINK: Sorry.

3 MR. FLYNN-BROWN: Go ahead.

4 AMBASSADOR BRINK: I was just going to say what I know  
5 is the information from 2014 and that Burisma was under  
6 investigation by the U.K. and us, and that \$23 million that  
7 was in a bank account in London frozen had to be let go  
8 because the prosecutor's office failed to provide  
9 information to allow it to remain--the investigation to  
10 conclude.

11 MR. FLYNN-BROWN: So with respect to the reporting that  
12 you referred to, based on that reporting, was it the State  
13 Department's position then that Burisma and its owner,  
14 Zlochevsky, had a reputation for corrupt activity?

15 AMBASSADOR BRINK: I would say that was a data point.  
16 That certainly looked like corrupt activity.

17 MR. FLYNN-BROWN: Do you believe that data point is an  
18 accurate representation?

19 AMBASSADOR BRINK: I can't say. It was before the time  
20 and before I started, but I can say that our Ambassador in  
21 Ukraine called that out publicly, and for us to do that in a  
22 public way is a pretty strong diplomatic tool that we tried  
23 to use to encourage people to do the right thing, in this  
24 case to get the prosecutor's office to actually pursue this  
25 alleged corruption.

1 MR. FLYNN-BROWN: And that's Ambassador Pyatt, correct?

2 AMBASSADOR BRINK: Correct.

3 MR. FLYNN-BROWN: Do you agree with his public  
4 statements?

5 AMBASSADOR BRINK: I don't know what that means--agree.  
6 I support them in terms of policy. It was our--you know,  
7 that speech was done in September of 2015, which was a  
8 couple weeks after I started as the Deputy Assistant  
9 Secretary.

10 MR. FLYNN-BROWN: So with respect to the case against  
11 Zlochevsky, when were you made aware of that?

12 AMBASSADOR BRINK: I don't recall. Maybe sometime when  
13 I was being on-boarded in my job. Maybe I got some  
14 background information, but not much.

15 Just to emphasize, there are many oligarchs, and there  
16 was a massive, widespread, endemic corruption problem in  
17 Ukraine.

18 MR. FLYNN-BROWN: And was Burisma and Zlochevsky a part  
19 of that corruption problem?

20 AMBASSADOR BRINK: I would say by the way that we  
21 talked about it publicly, yes. But not--there were many  
22 other problems as well.

23 MR. FLYNN-BROWN: So at the time Hunter Biden was on  
24 the board of Burisma, it was then the State Department's  
25 view that Burisma and Zlochevsky had a reputation for

1 engaging in corrupt activity. Is that correct?

2 MR. MacDOUGALL: Objection. Mr. Flynn-Brown, would you  
3 please clarify when, what time period you're talking about  
4 rather than just referring to when Hunter Biden was on the  
5 board?

6 MR. FLYNN-BROWN: I believe he joined the board in  
7 April [inaudible].

8 MR. MacDOUGALL: I'm sorry?

9 MR. FLYNN-BROWN: I believe Hunter Biden joined the  
10 board of Burisma in April of 2014.

11 MR. MacDOUGALL: Okay.

12 MR. FLYNN-BROWN: Excuse me. I stand corrected. May  
13 of 2014.

14 Ambassador Brink, if you can answer the question, go  
15 ahead.

16 AMBASSADOR BRINK: Sorry. Could you repeat it one more  
17 time?

18 MR. FLYNN-BROWN: In May of 2014, when Hunter Biden  
19 began on the board of Burisma, did the State Department hold  
20 the view that Burisma and Zlochevsky had a reputation for  
21 engaging in corrupt activity?

22 AMBASSADOR BRINK: I was not Deputy Assistant Secretary  
23 at that time. I don't know when all these events in London  
24 happened, and I don't know exactly if they're at the same  
25 time as the time that Hunter Biden joined the board.

1 [Pause.]

2 MR. FLYNN-BROWN: Ambassador Brink, just a clarifying  
3 question here. So can you recall when you first found out  
4 about Zlochevsky and Burisma's reputation for corrupt  
5 activity?

6 AMBASSADOR BRINK: I don't recall when. Sometime in  
7 the first 6 months of my job, but I don't recall exactly  
8 when or how.

9 MR. FLYNN-BROWN: And when you say your job, what  
10 position were you in?

11 AMBASSADOR BRINK: In my position as Deputy Assistant  
12 Secretary for Ukraine.

13 MR. FLYNN-BROWN: And what year was that?

14 AMBASSADOR BRINK: 2015.

15 MR. FLYNN-BROWN: 2015.

16 AMBASSADOR BRINK: Mm-hmm.

17 MR. FLYNN-BROWN: Ambassador Brink, thank you. I'm  
18 going to pass the microphone to my colleague Brian Downey.

19 AMBASSADOR BRINK: Mr. Flynn-Brown, can I just say one  
20 other thing?

21 MR. FLYNN-BROWN: Yes, please.

22 AMBASSADOR BRINK: I understand the interest in  
23 corruption, and obviously, the way in which--the impetus for  
24 the question. But as a policymaker, what I would say is  
25 there are a lot of private citizens that serve on boards all

1 over the world in places where as a government official we  
2 may or may not give advice that that is a good or a bad  
3 thing. But I would say that Hunter Biden's service on the  
4 board of Burisma had zero policy impact. We were pushing  
5 the prosecutor's office very, very hard to prosecute and  
6 investigate corruption cases, including the Burisma case,  
7 and the problem was he was not and his team was not.

8 MR. FLYNN-BROWN: With respect to Hunter Biden being on  
9 the board of Burisma and their apparent reputation for  
10 corrupt activity, would you have advised Hunter Biden not to  
11 join the board of Burisma?

12 MR. MacDOUGALL: Objection, calls for speculation.  
13 I'll instruct the witness not to answer.

14 MR. FLYNN-BROWN: Ambassador Brink, with respect to  
15 your previous comments about how the United States was  
16 pushing to prosecute the case against Zlochevsky, can you  
17 describe the actions that the United States Government took  
18 to prosecute that case?

19 AMBASSADOR BRINK: Well, this wouldn't be a case that  
20 the United States would prosecute on its own, unless there  
21 is some U.S. nexus, and I don't know the details of the  
22 London case. Again, it happened before my time. What I can  
23 say from a diplomatic point of view is we did everything we  
24 could to put as much pressure as possible diplomatically on  
25 decisionmakers, including in the prosecutor's office, to get

1 the prosecutor's office to actually prosecute cases of  
2 corruption, and including the Burisma case. And that's  
3 evidenced in point by Ambassador Pyatt's September 2015  
4 speech, which was made publicly, and that effort to push for  
5 reform of the prosecutor's office, which meant essentially  
6 going after corruption cases, was one that--was one of the  
7 two lines of effort that we made in Ukraine to push for  
8 reform. And the reason for that is that we were spending a  
9 lot of U.S. taxpayer money on anticorruption and other  
10 reforms. And in order to ensure that that money was spent  
11 effectively, it was our duty and our obligation and our  
12 responsibility to make sure that that money was actually  
13 helping to support anticorruption efforts.

14 MR. FLYNN-BROWN: So when did you first become aware of  
15 the case against Zlochevsky?

16 AMBASSADOR BRINK: I don't know when I first became  
17 aware, and I didn't know his name. I had heard the Burisma  
18 name, but I didn't know his particular name. And I think I  
19 mentioned before, in my first 6 months I was briefed on the  
20 Burisma case, but I can tell you there are a lot of  
21 corruption problems and cases at that time.

22 MR. FLYNN-BROWN: Again, when you refer to your first 6  
23 months now, what position were you in?

24 AMBASSADOR BRINK: Deputy Assistant Secretary.

25 MR. FLYNN-BROWN: Okay. Thank you. I'm going to now

1 pass the microphone over to Brian Downey.

2 MR. DOWNEY: Hi, Ambassador Brink. Can you hear me?

3 AMBASSADOR BRINK: Yes. Thank you.

4 MR. DOWNEY: So we're going to do our best to keep our  
5 questioning in time frames, and we're going to turn to your  
6 time as Deputy Assistant Secretary in the Bureau of European  
7 and Eurasian Affairs.

8 AMBASSADOR BRINK: Okay.

9 MR. DOWNEY: So that's 2015 to 2018. Are you aware of  
10 a January 2016 delegation coming to Washington that included  
11 a group of senior-level Ukrainian prosecutors?

12 AMBASSADOR BRINK: Yes, I am.

13 MR. DOWNEY: Okay. We're going to have this as Exhibit  
14 1. Will, it's Tab 6.

15 [Brink Exhibit No. 1 was  
16 marked for identification.]

17 MR. MacDOUGALL: Could you give us the Bates numbers,  
18 Mr. Downey, please?

19 MR. DOWNEY: Yes, this is the National Archives  
20 document, Bates 1755 to 1757, and that's--

21 AMBASSADOR BRINK: I don't I had received this one.

22 MR. MacDOUGALL: Yeah, this was not on the list we were  
23 given.

24 AMBASSADOR BRINK: So thank you for putting it  
25 onscreen.

1 MR. DOWNEY: It's on the screen, yes.

2 AMBASSADOR BRINK: Can you scroll down? Or can I?

3 MR. MacDOUGALL: Let me just ask the witness to hold  
4 for a second. Was this one of the three documents sent to  
5 us over the weekend?

6 MR. DOWNEY: I believe it was.

7 MR. MacDOUGALL: Okay. Ambassador, I don't know if you  
8 have access to those, but those were sent to us Saturday.

9 AMBASSADOR BRINK: Okay. I don't think I've seen this,  
10 but if someone can scroll down, I can just look at it  
11 onscreen. That's fine. I don't think I had seen this at  
12 the time.

13 MR. DOWNEY: So as the Ambassador reviews this, I want  
14 to just point out your name, Ambassador Brink, is on page 2  
15 of this exhibit. January 21, 2016.

16 AMBASSADOR BRINK: Mm-hmm. Yes.

17 MR. MacDOUGALL: That's 2015, isn't it?

18 MR. DOWNEY: I believe that's an error from the  
19 Department of Justice. That's their own error.

20 AMBASSADOR BRINK: It would be 2016 because I wasn't in  
21 my position as Deputy Assistant Secretary in January 2015.  
22 It would have to have been January 2016. Okay, sorry. Do  
23 you mind just scrolling to the end?

24 [Pause.]

25 AMBASSADOR BRINK: Okay.

1 MR. DOWNEY: So according to this document from January  
2 18 to January 23, 2016, a group of senior-level Ukrainian  
3 prosecutors attended a series of meetings with various U.S.  
4 Government officials here in Washington. Ambassador Brink,  
5 you appear to have participated in at least one of these  
6 meetings, and as this exhibit notes, it was scheduled for  
7 January 21, 2016. Did that meeting occur?

8 AMBASSADOR BRINK: Yes, I remember that meeting

9 MR. DOWNEY: What was the purpose of your specific  
10 meeting on January 21, 2016?

11 AMBASSADOR BRINK: As I recall, this was a meeting with  
12 the head of the specialized anticorruption office, otherwise  
13 known as SAPO, and the director of the anticorruption  
14 bureau, otherwise known as NABU. These two entities were  
15 set up with U.S. Government funding and assistance to help  
16 and implement anticorruption efforts. So it was something  
17 that we as a Government had supported, the United States,  
18 and these two individuals were coming to Washington to brief  
19 on the set-up of their office and things like hiring their  
20 staff, how they are operating, how it's working within the  
21 prosecutor's office, things like that.

22 MR. DOWNEY: Ambassador Brink, do you know who  
23 scheduled this senior-level Ukrainian prosecutors' visit to  
24 Washington?

25 AMBASSADOR BRINK: I don't know who scheduled it. I

1 mean, I have a scheduler, so someone would have contacted my  
2 scheduler. But it would have been something in coordination  
3 with our embassy in Kyiv, you know, probably would have  
4 suggested that they do this visit so that people can talk to  
5 them about how we're spending U.S. taxpayer money and  
6 assistance and if it's effective. And so that's why they  
7 came back, and it's natural that I would be one of the  
8 senior State Department people that met with them. But I  
9 see they met with someone else. I can't remember what  
10 position James Walsh had at the time.

11 MR. DOWNEY: Who attended your meeting on January 21,  
12 2016, from the Ukrainian delegation?

13 AMBASSADOR BRINK: So it would have been members of my  
14 Ukrainian team, people that they brought themselves on their  
15 side, so I would say--I would guess a mix of individuals,  
16 Ukrainian experts and people involved in anticorruption  
17 efforts.

18 MR. DOWNEY: Who specifically on your team attended  
19 this January 21, 2016, meeting?

20 AMBASSADOR BRINK: I don't recall specifically, but it  
21 would have likely have been my Ukraine office as well as  
22 potentially, because they work very closely with the  
23 Department of Justice, Department of Justice individuals,  
24 and members of the delegations themselves, which would  
25 include people that they brought in. And I remember

1 specifically in this meeting one of the--I think it's the  
2 investigator--didn't speak English, so I think they brought-  
3 -usually they bring an interpreter, so there was probably an  
4 interpreter. When that happens, we often can't cover a lot  
5 of ground because it wasn't a very long meeting, and when we  
6 do interpretation, it takes twice as long to communicate,  
7 obviously.

8 MR. DOWNEY: Did anyone take notes from this January  
9 21, 2016, meeting?

10 AMBASSADOR BRINK: I would guess people would have  
11 taken notes, yes.

12 MR. DOWNEY: Do you know if yourself or members of your  
13 team took notes from this January 21, 2016, meeting?

14 AMBASSADOR BRINK: Yes, I took some notes.

15 MR. DOWNEY: And, once again, how many individuals from  
16 your team joined you in this January 21, 2016, meeting?

17 AMBASSADOR BRINK: I would probably just have to look  
18 this up and come back to you. I don't have it at the tip of  
19 my fingers, but I could come back, and I can't guarantee who  
20 was scheduled to meet was actually there. I don't recall.

21 MR. DOWNEY: And, once again, this meeting occurred,  
22 correct?

23 AMBASSADOR BRINK: Yes.

24 MR. DOWNEY: What was discussed at this meeting?

25 AMBASSADOR BRINK: So the purpose of the meeting was to

1 hear what these two individuals who were running offices  
2 supported with U.S. taxpayer money and U.S. assistance talk  
3 about how it's working. Are they able to do what we needed  
4 them to do and wanted them to do and they wanted to do?  
5 Which was fight corruption and basically have a way where  
6 there was a specialized unit within the prosecutor's office  
7 that would be fighting--investigating and fighting  
8 corruption, because it was not happening in the prosecutor  
9 general's office in general.

10 MR. DOWNEY: So during this January 21, 2016, meeting,  
11 the senior level Ukrainian prosecutors that you met with,  
12 they discussed the current condition of the Prosecutor  
13 General's Office in Ukraine and how effective or ineffective  
14 it was?

15 AMBASSADOR BRINK: I don't remember if they discussed  
16 that. They definitely discussed things like how many  
17 prosecutors they had fired and what they were doing to train  
18 them, were they getting central budgetary funding or were  
19 there obstacles to them achieving their--you know, to doing  
20 their jobs in this context. So it was more operational, I  
21 would say, about how were they able to function and carry  
22 out the goals which we were supporting with U.S. taxpayer  
23 money.

24 MR. DOWNEY: So, Will, if you could scroll up on  
25 Exhibit 1 to the first page. On the first day of their--or



1 email. I mean, normally what happens is my staff would  
2 prepare a briefing memorandum for me, which would suggest  
3 items to raise, to discuss in the meeting. And so that's  
4 normal for them to coordinate with others with whom they're  
5 meeting in advance so that we have a shared, combined  
6 message. That's normal for us. I see I'm not on any of  
7 these emails, which I would normally be. I would get the  
8 briefing memo in advance of the meeting.

9 MR. DOWNEY: So just as clarification, Ambassador, you  
10 wouldn't have received emails that went to the Euro desk,  
11 that email chain?

12 AMBASSADOR BRINK: It didn't come to me because my  
13 staff would have--I mean, this is natural, normal  
14 coordination among staff, to ensure that among policy  
15 principals, senior people are saying the same thing. But I  
16 didn't--I wouldn't normally be on it, on something like  
17 this.

18 MR. DOWNEY: Understood. So I just wanted to point out  
19 this Monday, January 18, 2016, email from Jaime Gusack. Is  
20 Ms. Gusack on your staff?

21 AMBASSADOR BRINK: She was. Can I ask, is this from  
22 the classified system or from unclass?

23 MR. DOWNEY: This is unclass.

24 MR. MacDOUGALL: Mr. Downey, is the exhibit--this  
25 document begins with Bates No. 1648?

1 MR. DOWNEY: This is an Archives document that begins  
2 at 1907 and ends at 1910.

3 MR. MacDOUGALL: I don't think we've been given that at  
4 all.

5 AMBASSADOR BRINK: No. This is the first time I'm  
6 seeing it.

7 MR. MacDOUGALL: Yeah, we weren't given that in  
8 advance, so I'm going to have to object to any questions in  
9 this document.

10 MR. DOWNEY: Okay. Mr. MacDougall, we're just seeking  
11 to maybe facilitate the Ambassador's recollection from the  
12 meeting with the Ukrainian prosecutors as what is on the  
13 screen points out a list of topics that the State Department  
14 was hoping that the National Security Council might discuss  
15 with them during the NSC's meeting.

16 MR. MacDOUGALL: I understand that, Mr. Downey, but we  
17 had a very clear understanding that we were going to be  
18 shown and given copies of any documents the Ambassador is  
19 going to be asked about. This is--you're seeking to ask her  
20 questions on this document and we weren't shown it until  
21 this very moment. So if you want her to look at a list of  
22 names and see if she knows those names I won't object to  
23 that, but if you want to get into any further on this I  
24 think it is completely inappropriate, given the long  
25 discussions we've had about this.

1 MR. DOWNEY: And during a break we'll check to see what  
2 documents we sent over the weekend and we'll get that  
3 cleared up.

4 AMBASSADOR BRINK: Mark, if it's okay I think I can say  
5 one thing.

6 MR. MacDOUGALL: Sure.

7 AMBASSADOR BRINK: I don't have any recollection of the  
8 detail that is on this document, of raising this. Like I  
9 said, there was very little time and it was very  
10 operational, and my focus was on ensuring that they were  
11 able to operate appropriately. I probably was doing this  
12 meeting with our assistance coordinator, responsible for  
13 assistance, as well, with the idea and concern that  
14 anticorruption efforts needed to be effective.

15 So on issues with regard to, you know, the Prosecutor  
16 General or any specific big cases, these folks, in  
17 particular, would not have been able to change a situation  
18 with regard to the Prosecutor General. That would have to  
19 be done at a much higher level, at the presidential level,  
20 not with the prosecutors.

21 So sometimes there might be cases where people are  
22 preparing--I can't remember what was prepared for me for  
23 this interview, for this meeting, but I can say with  
24 certainty that either telling them that there needs to be a  
25 new Prosecutor General or discussing some specific case

1 would not have been on my specific agenda. And so it was  
2 very operational focused on ensuring that money being spent  
3 to support these offices, which was a lot of money and  
4 effort and energy by the U.S. Government on behalf of the  
5 American people, was being done appropriately, not to talk  
6 about individual cases or to talk about individuals.

7 MR. DOWNEY: How much money was the U.S. providing the  
8 Ukrainians to institute these anticorruption efforts?

9 AMBASSADOR BRINK: I don't know the specific numbers  
10 for anticorruption but I do--I can say that we provided,  
11 during my time, \$3 billion in total loan guarantees as well  
12 as almost \$1 billion in other types of assistance. We could  
13 probably tell you specifically how much went to  
14 anticorruption, but this was a serious amount of money, and  
15 foremost and utmost in my mind during this whole time was  
16 ensuring that this money was spent appropriately and  
17 ensuring that it was achieving our foreign policy goals.  
18 That was our sole focus.

19 MR. DOWNEY: So during this January 21, 2016, meeting  
20 you had with the senior level Ukrainian prosecutors, did you  
21 specifically discuss the Prosecutor General's Office of  
22 Ukraine?

23 AMBASSADOR BRINK: I don't recall. I don't recall if  
24 we did or not.

25 MR. DOWNEY: Did you--

1           AMBASSADOR BRINK: I recall the operational pieces of  
2 it.

3           MR. DOWNEY: Did you discuss Prosecutor General Viktor  
4 Shokin at this January 21, 2016, meeting?

5           AMBASSADOR BRINK: Not that I recall. I wouldn't  
6 normally. There's no--not that I recall.

7           MR. DOWNEY: During this January 21, 2016, meeting,  
8 were these senior level prosecutors concerned with--did they  
9 express concerns to you about where the leadership of the  
10 PGO's office was going in regard to anticorruption efforts?

11          AMBASSADOR BRINK: I don't recall. What I can say is  
12 that in general the widespread belief and the widespread  
13 perception was that the Prosecutor's Office was not--was  
14 protecting corrupt entities without prosecuting corrupt  
15 entities. Not one significant figure, from the Yanukovych  
16 or the Poroshenko administrations was prosecuted under  
17 Shokin. So that data point indicated that there was not--  
18 that corruption was not being pursued and prosecuted. And  
19 so there was a widespread feeling of that, not from any one  
20 individual, but it was widely believed within the U.S.  
21 Government, in the NGO community, in Ukraine, among European  
22 partners.

23          MR. DOWNEY: So in January of 2016, what was the U.S.  
24 Government's view of Prosecutor General Viktor Shokin?

25          AMBASSADOR BRINK: I don't know what--I mean, to say

1 there's a U.S. Government view might be a stronger thing  
2 than what it was. But I would say at the U.S. Government  
3 view was that the Prosecutor General's Office was operating  
4 in the old way, which was close to the politicians and  
5 always close to the Presidents, and more powerful than  
6 judges, and not prosecuting corruption and corrupt entities.  
7 And that had been a longstanding problem in Ukraine and  
8 remained so under Prosecutor General Shokin.

9 MR. DOWNEY: Who was the Prosecutor General of Ukraine  
10 before Viktor Shokin?

11 AMBASSADOR BRINK: It was someone named Yarema, but I  
12 did not have any experience with him. That was before my  
13 time.

14 MR. DOWNEY: Do you know any allegations regarding the  
15 former Prosecutor General Yarema?

16 AMBASSADOR BRINK: I do not but I do believe the  
17 Burisma case in 2014 happened when he was the Prosecutor  
18 General.

19 MR. DOWNEY: So in January of 2016, in your position as  
20 Deputy Assistant Secretary of the European Bureau, was  
21 Viktor Shokin seen as an obstacle to perform?

22 AMBASSADOR BRINK: Yes.

23 MR. DOWNEY: And how was that--what was that based on?  
24 What information that was--what information was coming from  
25 maybe Embassy Kiev or anywhere else that support that?

1           AMBASSADOR BRINK: It was based on a simple data point,  
2 that no prominent officials from the Yanokovych regime or  
3 from the Poroshenko regime had been prosecuted for  
4 corruption. Nobody who shot and killed 100 people on the  
5 Maidan during the Revolution of Dignity, nobody who had  
6 clearly stolen assets and money from the people of Ukraine  
7 that led to the Revolution of Dignity, and no one after. So  
8 it was based on that data point, and if there were other  
9 data points our analysis would be different. But I can tell  
10 you this was widespread, widely believed by government  
11 officials, people outside of government, people in America,  
12 in Ukraine, and in Europe, and I never heard anything  
13 contrary to that, ever.

14           MR. DOWNEY: So were those concerns that you just  
15 raised about Shokin's office not, you know, sort of going  
16 with the old way of how business was done in the Prosecutor  
17 General's Office, was that discussed in your January 21,  
18 2016, meeting with those senior level Ukrainian prosecutors?

19           AMBASSADOR BRINK: Not that I recall, no.

20           MR. DOWNEY: Was Ukrainian officials aware of State  
21 Department's view of Shokin at this time in January of 2016?

22           AMBASSADOR BRINK: I wouldn't call it the State  
23 Department's view. I think if you--it was common view. I  
24 wouldn't say it was just the State Department viewing. It's  
25 not about personalities. It's about whether or not, you

1 know, reforms were happening, and they were not, and they  
2 were not happening under Shokin, and they were not happening  
3 in the Prosecutor General's Office.

4 MR. DOWNEY: Okay.

5 AMBASSADOR BRINK: That includes investigation of what  
6 happened in 2014 with Burisma, and we pushed for that to  
7 happen.

8 MR. DOWNEY: So during this time period in January of  
9 2016, who conveyed these U.S. concerns to the Ukrainians  
10 regarding the Prosecutor General's Office?

11 AMBASSADOR BRINK: Well, I think they were conveyed at  
12 multiple levels, but because the Prosecutor General is  
13 someone, as I can't recall exactly how the process works,  
14 but I think nominated by either the Prime Minister, the  
15 President, and then approved by Parliament, this is  
16 something that obviously is at a very, very senior level.  
17 So essentially the controlling entity on this question is  
18 the President. So we conveyed it in ways, when--to the  
19 President of the country.

20 MR. DOWNEY: So who conveyed it to President Poroshenko  
21 at that time in January of 2016?

22 AMBASSADOR BRINK: I would say any official who met  
23 with the President. So, in general, I don't know exactly,  
24 but as I recall, you know, our senior-most officials. So  
25 part of our job, in terms of pushing for specific policy

1 outcomes is to use the believers of influence that we have,  
2 and that's our more senior officials. So we would use the  
3 most senior official we could possibly get to help to  
4 achieve what is a very difficult ask, which is to either  
5 make the Prosecutor General's Office effective, and to do so  
6 by changing the leadership or doing something else. But it  
7 needed to be effective.

8 MR. DOWNEY: Did this include Vice President Joe Biden?

9 AMBASSADOR BRINK: In a general sense, yes. I can't  
10 remember when and how, but yes, of course.

11 MR. DOWNEY: Do you know Vice President Biden may have  
12 discussed Shokin with President Poroshenko?

13 AMBASSADOR BRINK: I don't know when. I don't recall,  
14 I guess, is a better answer.

15 MR. DOWNEY: Ambassador Brink, were you aware that  
16 Hunter Biden was on Burisma's board of directors as your  
17 time as Deputy Assistant Secretary for the European Bureau?

18 AMBASSADOR BRINK: I had heard about it. Either I had  
19 been briefed on it or, of course, there was at least one  
20 article that had been, you know, sent to me again, that was  
21 on it. So, yes, I had some awareness of it.

22 MR. DOWNEY: Do you know the time frame of when someone  
23 on your staff may have briefed on you on Hunter Biden's  
24 board seat?

25 AMBASSADOR BRINK: No. I can't recall. Probably in

1 the first few months of my job, that's when I would have  
2 been told about it.

3 MR. DOWNEY: So as Deputy Assistant Secretary in 2015.

4 AMBASSADOR BRINK: Correct.

5 MR. DOWNEY: When you were briefed about Hunter Biden  
6 being on Burisma's board, did you have any reaction to that  
7 news?

8 AMBASSADOR BRINK: No.

9 MR. DOWNEY: Why not?

10 AMBASSADOR BRINK: It had zero impact on policy.

11 MR. DOWNEY: Did you raise any concerns about potential  
12 conflicts of interest to anyone at the State Department  
13 after you were briefed about this?

14 AMBASSADOR BRINK: No, I did not. Hunter Biden is a  
15 private citizen. If I thought it was having an impact on  
16 policy that might be a different situation. But it had zero  
17 impact on policy.

18 MR. DOWNEY: So as your time as the Deputy Assistant  
19 Secretary of the European Bureau, did you speak with anyone  
20 in Vice President Biden's staff or the National Security  
21 Council staff about Hunter Biden's position on Burisma's  
22 board?

23 AMBASSADOR BRINK: No.

24 MR. DOWNEY: Did it ever come up in conversations or  
25 during meetings that you had with those entities?





1 page 5 of the Vice President's speech.

2 [Pause.]

3 AMBASSADOR BRINK: Mm-hmm.

4 MR. DOWNEY: And specifically, I want to point out the  
5 graph that starts out and is on the screen with "As the  
6 Prime Minister," at the ending, two sentences of this part  
7 of the Vice President's speech says senior elected officials  
8 have to remove all conflicts between their business  
9 interests and their government responsibilities. Every  
10 other democracy in the world, that system pertains.

11 Ambassador Brink, what was the purpose of Vice  
12 President Biden telling elected Ukrainian officials to  
13 remove all conflicts of interest between their business  
14 interests and their government responsibilities?

15 AMBASSADOR BRINK: I can't recall specifically, but as  
16 I remember, they are not clear--or they were not clear rules  
17 for parliamentarians in Ukraine to divest themselves from  
18 business, and so you had parliamentarians that were  
19 allegedly doing the business of the Ukrainian people but  
20 also you had side [inaudible] among other things, other  
21 problems as well. But the idea of asset disclosure and  
22 conflicts of interest was not something that had been put in  
23 place in fact.

24 MR. DOWNEY: With regards to the specific two sentences  
25 of the Vice President's speech in December of 2015, was

1 Hunter Biden's board position on Burisma consistent with  
2 this message about conflicts of interest?

3       AMBASSADOR BRINK: Well, I mean, this is about elected  
4 officials.

5       MR. DOWNEY: And Joe Biden is an elected official?

6       AMBASSADOR BRINK: Right.

7       MR. DOWNEY: Did the fact of Hunter Biden's position on  
8 the board of Burisma undermine Vice President Biden's  
9 message?

10       AMBASSADOR BRINK: I think this probably calls for  
11 speculation. Maybe it isn't good for me to--

12       MR. MacDOUGALL: Well, if you don't know, then you  
13 can't answer.

14       Can you restate the question?

15       MR. DOWNEY: Sure. Did the fact of Hunter Biden's  
16 position on Burisma's board undermine Vice President Biden's  
17 message on conflicts of interest and anticorruption?

18       MR. MacDOUGALL: Okay. To the extent you're asking for  
19 the Ambassador's opinion, I will object to that and instruct  
20 her not to answer.

21       MR. DOWNEY: Ambassador Brink, did you find that  
22 awkward that Vice President Biden would be calling on  
23 conflicts of interest and his son sat on Burisma's board?

24       MR. MacDOUGALL: Same objection, same instruction.

25       MR. DOWNEY: So on page 5 of this speech, Vice

1 President Biden said oligarchs and non-oligarchs must play  
2 by the same rules. They have to pay their taxes, settle  
3 their disputes in court, not by bullying judges. That's  
4 basic. That's how nations succeed in the 21st century.

5 During your time as the Deputy Assistant Secretary for  
6 the European Bureau, did you agree with Vice President Biden  
7 confronting oligarchs in this speech?

8 AMBASSADOR BRINK: I mean, I think we would have  
9 probably supplied the points from myself and my team.

10 MR. DOWNEY: Do you know whether the Vice President's  
11 staff agreed with this position as well?

12 AMBASSADOR BRINK: I can't say. I don't know.

13 MR. DOWNEY: As Deputy Assistant Secretary for the  
14 European Bureau during this time frame in 2015, why was it  
15 important for Vice President Biden to confront oligarchs in  
16 Ukraine?

17 AMBASSADOR BRINK: I think the importance was to  
18 confront corruption, and many of the oligarchs were deeply  
19 involved in the corruption that existed at very senior  
20 levels, very--as I said, it was widespread, endemic, and a  
21 big problem for us in promoting reform and promoting a  
22 strong independent Ukraine.

23 MR. DOWNEY: So by confronting oligarchs, would that  
24 send an anticorruption message to Ukraine's Rada and to  
25 their people?

1           AMBASSADOR BRINK: I think the point is by confronting  
2 corruption where it exists and problems fighting corruption  
3 where it exists, and calling it out and shining a slight on  
4 it is what's important. And that's what we did, and that's  
5 what we asked senior members and Cabinet officials to do.  
6 And they did.

7           MR. DOWNEY: Just a second.

8           [Pause.]

9           MR. DOWNEY: I believe the Majority has about four or  
10 three minutes left, Ambassador Brink. I'm going to send it  
11 to my colleague, Scott Wittmann, for the last three minutes.

12          AMBASSADOR BRINK: Thank you.

13          MR. WITTMANN: Hi, Ambassador Brink. Can you hear me?

14          AMBASSADOR BRINK: Yes.

15          MR. WITTMANN: Let me make sure I can hear you.

16          [Pause.]

17          MR. WITTMANN: Ambassador, can you hear me?

18          AMBASSADOR BRINK: I can hear you, yes.

19          MR. WITTMANN: And I can hear you. Thank you.

20          Just a few more questions, and then our round will be  
21 finished. And we'll either take a break or we'll turn it  
22 over to the Minority.

23          I just want to go back and ask you a couple questions  
24 about what you were saying earlier regarding how the U.S.  
25 was pushing anticorruption measures, and that included

1 holding Burisma and Zlochevsky accountable and pushing  
2 Ukrainians to do that; is that correct?

3       AMBASSADOR BRINK: Yes. I mean, fighting for the  
4 prosecutor general's office to actually do its job and  
5 prosecute--investigate and prosecute cases of corruption,  
6 which they were not doing. That was what we were trying to  
7 do.

8       MR. WITTMANN: And I think you mentioned that included  
9 the case against Zlochevsky and Burisma, pushing to hold  
10 them accountable; is that right?

11       AMBASSADOR BRINK: Well I would say as shown by  
12 Ambassador Pyatt's speech, a very important corruption  
13 speech that he made in Odessa, yes.

14       MR. WITTMANN: And how often did the U.S.--in addition  
15 to Ambassador Pyatt's September 2015 speech, how often did  
16 the U.S. specifically call out Zlochevsky and Burisma to  
17 Ukrainian officials?

18       AMBASSADOR BRINK: I can't say how often. What I can  
19 say is that we had two policy lines, and you have to  
20 remember that the main policy line was the fact that  
21 Russia's aggression in the Donbass and attempted annexation  
22 of Crimea was an enormous security threat, not just for  
23 Ukraine, but for all of Europe. And so our one policy line  
24 was to do everything we could to reinforce the security, the  
25 physical security of the Ukraine and also to work with the

1 Normandy partners to move forward on the Minsk commitments.

2 That was one very big line of effort.

3       The second line of effort on Ukraine was to support  
4 reforms, and those, of course, included anticorruption  
5 reforms. But there were a whole host of other reforms. Any  
6 country coming out of Communist legacy has serious  
7 challenges with regard to democracy.

8       So it is anticorruption, and that's a very, very big  
9 part of it. But it's also many other things. So I can't  
10 say how many times we raised this individual case, which  
11 frankly is small compared to a lot of the big cases--the  
12 oligarchs that control the energy sector, the banking  
13 sector, other aspects of the economy that are pivotal. So I  
14 can't say.

15       MR. WITTMANN: Understood.

16       Based on your knowledge, was Zlochevsky or Burisma ever  
17 held accountable?

18       AMBASSADOR BRINK: Not that I'm aware of, but I--not  
19 that I'm aware of, but I don't know. I'm not currently--  
20 obviously, I'm not responsible for Ukraine policy now, but--

21       MR. WITTMANN: So by the time you left your position as  
22 Deputy Assistant Secretary, you were not aware then or you  
23 don't recall now?

24       AMBASSADOR BRINK: I'm not aware. I don't know.

25       MR. WITTMANN: Okay. Ambassador Brink--

1           AMBASSADOR BRINK: I can maybe add one other thing. We  
2 did follow some cases, but in general, those cases had to  
3 have a very strong U.S. nexus, so some cases in terms of  
4 prosecution.

5           So, in any case, this particular case on Burisma was  
6 really the main datapoint we have is from 2014, and as far  
7 as I know, Burisma under Prosecutor General Shokin was never  
8 investigated and certainly not prosecuted nor the  
9 prosecutors who basically failed to provide the UK with  
10 information that was requested in order to give back \$23  
11 million to the Ukrainian people.

12          MR. WITTMANN: And under Prosecutor General Lutsenko?

13          AMBASSADOR BRINK: Lutsenko? I don't know.

14          MR. WITTMANN: Okay. So despite all of these efforts  
15 from the U.S. government and the Ambassador Pyatt  
16 specifically calling out Zlochevsky, you don't know if he  
17 was held accountable?

18          AMBASSADOR BRINK: I don't know.

19          MR. WITTMANN: Okay.

20          AMBASSADOR BRINK: But, obviously, he would have to be  
21 prosecuted, right? So he'd have to have a fair trial or--

22          MR. WITTMANN: Sure.

23          AMBASSADOR BRINK: --some sort of investigation, but, I  
24 mean, as far as I know, no.

25          MR. WITTMANN: Okay. Ambassador Brink, our hour is up.

1 So, first, I want to extend the opportunity for you to take  
2 a break if you need to and also to turn it over to our  
3 Minority.

4 MR. SCHRAM: It's 10:28 now. Why don't we restart at  
5 10:35? Does that work for you, Ambassador?

6 AMBASSADOR BRINK: Of course.

7 MR. SCHRAM: Thanks so much.

8 AMBASSADOR BRINK: Thank you.

9 [Recess.]

10 MR. SCHRAM: Okay. Mark, are you ready?

11 MR. MacDOUGALL: Yeah.

12 Mr. Schram, let me just put this on the record before  
13 you start. We want to be solicitous of your time, and we  
14 have a four-hour hard stop, as everybody knows.

15 We've been receiving, as you know, documents from the  
16 Minority very recently, including a few minutes ago. If  
17 you're going to ask Ambassador Brink specific questions  
18 about documents we haven't seen, we're going to have to take  
19 a break, as we've discussed, and go over them with her.

20 So I don't know. You can ask her whatever questions  
21 you want, but if there are new documents that we're just  
22 receiving now, we're going to have to take a break and look  
23 at those and get back to you.

24 MR. SCHRAM: Understood.

25 In response to the first hour of questioning, we've

1 sent some public letters and articles, but I don't believe  
2 any of them are non-public material.

3 MR. MacDOUGALL: And my point is she hasn't read them  
4 yet and hasn't been able to talk to her lawyer about them,  
5 and that's what we need to do.

6 MR. SCHRAM: Okay. When we get to that step, then, by  
7 all means, take as much time as you need.

8 MR. MacDOUGALL: All right. Okay.

9 MR. SCHRAM: Ambassador Brink, thank you again for your  
10 time. I was quite moved by your opening statement, and as a  
11 Michigander and the grandchild of two World War II and D-Day  
12 veterans, I have to say I identified with your call to  
13 service. And you may see over my shoulder, that's my  
14 paternal grandfather in his flight suit.

15 AMBASSADOR BRINK: Oh, that's awesome. Thank you.

16 MR. SCHRAM: You were appointed by President Trump to  
17 your current role as Ambassador to Slovak Republic, correct?

18 AMBASSADOR BRINK: Correct.

19 MR. SCHRAM: And as we heard from your opening, you've  
20 spoken very movingly about your call to service. I'm  
21 wondering if you might highlight some particular  
22 achievements in the foreign service that you're proud of.

23 AMBASSADOR BRINK: Well, thanks for asking.

24 You know, a lot of what we do is kind of anonymous, and  
25 we do it as part of a much bigger collective, whether that's

1 as part of our embassy or as part of our larger executive  
2 branch or together with Congress and others. So I can't say  
3 that I can take credit for individual things, but maybe I  
4 can give you a few highlights that exemplify the things that  
5 I'm proud of.

6 I started my career in the Balkans in the 1990s in the  
7 middle of the wars there, and I started in Belgrade. And I  
8 played a small role, but a role, in the negotiations between  
9 Belgrade and Pristine, Kosovo at the time, Serbia and  
10 Kosovo, to try to end that conflict.

11 So it didn't end well. It ended with NATO  
12 intervention. Now I'm very happy to see that things  
13 continue to move forward and that the President had recently  
14 just signed something at the White House, an economic  
15 cooperation between Serbia and Kosovo, which I think is  
16 great and underscores what I tell my younger staff, that  
17 sometimes on your watch, things go well. Sometimes they  
18 don't, but you have to keep trying and know that this is  
19 something that is generational in the process. And so it's  
20 not necessarily that you see the results in whatever short  
21 period of time you have in your tour, couple years.

22 I also served in the Caucasus. I served twice in the  
23 Caucasus, and there, I was supportive of reform efforts that  
24 took place after the Rose Revolution in Georgia. And some  
25 really big and successful reforms took place there at the

1 time that I was there, and I'm very proud of supporting  
2 that, both with diplomacy and assistance.

3       And when I was Deputy Assistant Secretary, I was very  
4 proud of what I did in terms of being a part of the team  
5 that was supporting Ukraine against Russian aggression and  
6 changes of borders by force as well as what I did in other  
7 parts of my portfolio.

8       So I would emphasize that I was responsible for six  
9 countries. I was one of many that were working on Ukraine  
10 because of the significant policy effort and resources  
11 extended on that particular issue. It's, of course, a very  
12 strategically important country and one in which we as the  
13 United States put a lot of effort into and a lot of money  
14 into, U.S. taxpayer money.

15       But I was also responsible for some of the other  
16 countries of Eastern Europe and of the Caucasus, and in my  
17 capacity, I was perhaps the senior most person following and  
18 coordinating and executing together with the ambassadors in  
19 the region, our policy there. So I was very, very busy and  
20 traveled a lot and worked on those other countries as well  
21 but in a way that I had even more senior, I would say, role  
22 and responsibility in coordination with my own chain of  
23 command, of course.

24       So, in that context, I'm really proud of some other  
25 things that we did to help stabilize Moldova to do things to

1 reach out to Belarus and to also continue to support the  
2 countries of the Caucasus in terms of their independence and  
3 in terms of deepening some of the democratic aspects of  
4 those countries where we saw some political prisoners be  
5 freed or reform efforts and move forward in various ways.

6 So that's kind of a highlight, I guess.

7 MR. SCHRAM: Great. Turning to Ukraine specifically,  
8 what were the principal focuses of your responsibility with  
9 respect to Ukraine policy?

10 AMBASSADOR BRINK: Well, as the Deputy Assistant  
11 Secretary, I was responsible for helping to both formulate  
12 and execute foreign policy toward Ukraine, and so that  
13 included political aspects, economic aspects, people-to-  
14 people aspects, humanitarian aspects, and also to report,  
15 obviously, through my chain of command to my Assistant  
16 Secretary and higher on those issues and to work closely  
17 obviously too with the Ambassador to Ukraine.

18 MR. SCHRAM: You spoke in your opening statement about  
19 always advancing the interests and values of United States  
20 and working to protect and defend the people of the United  
21 States, and did you fulfill those objectives with respect to  
22 your work on Ukraine policy?

23 AMBASSADOR BRINK: Yes, I believe so, to the best of my  
24 ability, because my family in Michigan is always asking,  
25 "What are you doing for us?"

1 [Laughter.]

2 MR. SCHRAM: And to the best of your knowledge, is that  
3 true of your colleagues that you worked with on those  
4 matters?

5 AMBASSADOR BRINK: Yes, absolutely.

6 MR. SCHRAM: And would you include the Vice President  
7 among those people who were working with you on Ukraine  
8 policy to advance the interests and values of the United  
9 States and protect and defend the people of the United  
10 States?

11 AMBASSADOR BRINK: Absolutely.

12 MR. SCHRAM: Ambassador Brink, in the chairman's open  
13 letter of August 10th, you wrote, quote, "Many in the media  
14 in an ongoing attempt to provide cover for former Vice  
15 President Biden continue to repeat the mantra that there is  
16 no evidence of wrongdoing or illegal activity related to  
17 Hunter Biden's position on Burisma's board. I could not  
18 disagree more," end of quote.

19 Are you aware of any evidence of wrongdoing or illegal  
20 activity by Vice President Biden related to Hunter Biden's  
21 position on Burisma's board?

22 AMBASSADOR BRINK: No, I am not.

23 MR. SCHRAM: Was the foreign policy that Vice President  
24 Biden pursued in Ukraine intended to advance the interests  
25 of the United States of America?

1           AMBASSADOR BRINK: Yes, it was.

2           MR. SCHRAM: Are narratives that suggest otherwise  
3 false?

4           MR. MacDOUGALL: Objection to the extent that it asks  
5 the Ambassador to evaluate alternative opinions. I'll  
6 instruct her not to answer.

7           MR. SCHRAM: I'm sorry, Mark. I believe you were cut  
8 off at the beginning.

9           MR. MacDOUGALL: Sorry. Yeah. No, I said the  
10 objection is that you're asking the Ambassador to evaluate  
11 the opinions of others. She's answered your question with  
12 regard to her personal knowledge. So we'll object to the  
13 question as you asked it.

14          MR. SCHRAM: I don't believe I have asked about anyone  
15 else's opinion. The ask is about the allegation that the  
16 foreign policy of the United States was contrary to the--  
17 pardon me--that the policy of--that Vice President Biden  
18 pursued in Ukraine was contrary to the interests of the  
19 United States or related to any wrongdoing or illegal  
20 activity. With response to those allegations, my question  
21 was, Are those narratives false?

22          MR. MacDOUGALL: Well, again, Mr. Schram, you asked the  
23 witness did she know of any misconduct or illegal conduct,  
24 whatever phrasing you used, and she said no. She's answered  
25 with regard to her personal knowledge. You're now asking

1 her to evaluate things that are beyond her knowledge, and  
2 that would be the opinions of other people.

3 MR. SCHRAM: Okay. I don't believe I'm asking about  
4 opinions, but I'll move on.

5 Did a potential conflict of interest related to Hunter  
6 Biden influence the Obama administration's policy decisions  
7 with respect to Ukraine and Burisma Holdings?

8 AMBASSADOR BRINK: No.

9 MR. SCHRAM: Was the foreign policy pursued by Vice  
10 President Biden in Ukraine corrupt to your knowledge?

11 AMBASSADOR BRINK: No.

12 MR. SCHRAM: Did Vice President Biden alter United  
13 States government foreign policy concerning Ukraine to  
14 assist Burisma or to assist his son?

15 AMBASSADOR BRINK: Not that I am aware of in any way.

16 MR. SCHRAM: Did you witness any efforts by U.S.  
17 officials to shield Burisma from scrutiny?

18 AMBASSADOR BRINK: No, absolutely not. The contrary.

19 MR. SCHRAM: Please go ahead and elaborate.

20 AMBASSADOR BRINK: We and--we were calling out Burisma  
21 and calling out the prosecutor general's office's failure to  
22 investigate Burisma publicly, which is quite a strong  
23 diplomatic signal.

24 MR. SCHRAM: Can you say more about that? When you say  
25 it's a strong diplomatic signal, those of us who are not

1 diplomats, what do you mean?

2       AMBASSADOR BRINK: Well, usually, you would start  
3 privately. It's usually a way to do something more publicly  
4 in a way that puts more pressure on the officials.

5       MR. SCHRAM: And with respect to Burisma specifically,  
6 did those signals start privately?

7       AMBASSADOR BRINK: I'm not sure because it was before  
8 my time. What I saw when I started as Deputy Assistant  
9 Secretary was simply a point within a couple weeks that we  
10 were calling out publicly the prosecutor general's office  
11 for not prosecuting and investigating the situation with  
12 regard to Burisma.

13       MR. SCHRAM: But it would be ordinary diplomatic  
14 practice to start with private messages and to move to  
15 public messages, if I understand you correctly?

16       AMBASSADOR BRINK: Generally, yes.

17       MR. SCHRAM: Based on your work with the Vice  
18 President's office to advance anticorruption efforts in  
19 Ukraine, do you believe the Vice President's decisions were  
20 influenced by a conflict of interest related to his son?

21       AMBASSADOR BRINK: No.

22       MR. MacDOUGALL: I--

23       AMBASSADOR BRINK: Sorry.

24       MR. SCHRAM: Was the Vice President an effective  
25 messenger of our anticorruption policy in Ukraine?

1           AMBASSADOR BRINK: Yes.

2           MR. SCHRAM: Why do you say that?

3           AMBASSADOR BRINK: Because he's the Vice President, and  
4 when we need to move policy--and I just underscore that I do  
5 this with Republican and Democratic administrations--you try  
6 to do it with the least power and influence that you need to  
7 save everybody's time. But when you need it at senior  
8 levels, there's no one more senior than the President if you  
9 have the Vice President. So it's a very powerful tool to  
10 promote policy, but obviously, the Vice President can't do  
11 policy on every single issue. So we have to be strategic,  
12 and we need to use--when we have the Vice President and that  
13 influence level, it is very helpful to policy.

14          MR. SCHRAM: Ambassador Brink, based on your extensive  
15 experience in the formulation of U.S. foreign policy, both  
16 from your time at the National Security Council and your  
17 long career at the State Department, can you explain the  
18 process of developing foreign policy toward Ukraine  
19 generally?

20          AMBASSADOR BRINK: Well, generally, policy is developed  
21 with a bottom-up approach. Generally, it's the experts and  
22 also our embassy, which is on the ground overseas in Kyiv,  
23 that will make recommendations on policy lines, and that  
24 will come back to Washington where different parts of our  
25 national security agencies have a role to play, including

1 the State Department, but including other national security  
2 agencies, Treasury, Commerce, USTR, many others, of course,  
3 Defense Department. And the National Security Council then  
4 is required to help coordinate these disparate pieces, and  
5 then we come together as an interagency group to discuss and  
6 decide on policy, usually at levels starting at the Deputy  
7 Assistant Secretary level.

8       That's sort of the baseline level where it starts, and  
9 then once approved by that level, recommendations are made  
10 and go to more senior levels, so go to Assistant Secretary  
11 level, Deputy Secretary level, Principal level, and then  
12 National Security Council, which includes the President.

13       MR. SCHRAM: Was this the process that was generally  
14 followed with respect to our anticorruption policy in  
15 Ukraine?

16       AMBASSADOR BRINK: Yes. But I'd just emphasize again  
17 we had a very big agenda with Ukraine, and the  
18 anticorruption part of it was one piece of it. But the big  
19 agenda was this two-fold agenda in terms of helping to  
20 protect Ukraine's security, territorial integrity, and  
21 independence, in spite of what was going on with regard to  
22 Russia, the Russian aggression and attempted annexation, and  
23 then the reform piece. And the reform piece included  
24 anticorruption, but it included other things as well.

25       So I would say that the details on the anticorruption

1 effort were done at levels probably even lower than mine on  
2 what would be recommended and certainly in conjunction with  
3 our embassy, which has the bird's-eye view as to making  
4 recommendations as to how to approach the anticorruption  
5 piece, because we can't see that so well from Washington.

6 MR. SCHRAM: Is that how the process operated with  
7 respect to the policy advocating for the removal of  
8 Prosecutor General Shokin?

9 AMBASSADOR BRINK: I can't recall.

10 MR. SCHRAM: Do you recall generally the origins of the  
11 policy to remove Prosecutor General Shokin?

12 AMBASSADOR BRINK: I don't recall. It happened very  
13 early in my tenure, and so I don't recall exactly how that  
14 happened.

15 What I can say is the prosecutor general's office--you  
16 can see from the public statements, but also what we were  
17 doing privately, was seen as ineffective to pursuing and  
18 investigating corruption. And so it was a question of how  
19 to make sure that changed or how to see that change.

20 MR. SCHRAM: Was the policy of the United States  
21 government with respect to Ukraine communicated to Congress?

22 AMBASSADOR BRINK: I am sure it was. We had very close  
23 coordination with Congress, both informally and formally. I  
24 can't say specifically on this issue when or how that  
25 communication would have happened, but we were in very close

1 touch with members who were interested in Ukraine. And,  
2 obviously, I'd just repeat again, with the huge amount of  
3 money that we were spending, most of this--Ukraine was  
4 taking most of the budget of all of Europe in resources. So  
5 this was a very big budgetary commitment by the Congress and  
6 by the U.S. taxpayers, and for that reason especially we  
7 really needed to keep in close touch with Congress because  
8 we needed to be in sync.

9 MR. SCHRAM: What was your role in ensuring that you  
10 were in sync with--the policy was in sync with the views of  
11 Congress?

12 AMBASSADOR BRINK: Well, I mean, I had contacts at that  
13 time, as I recall, with, you know, staff who would have been  
14 interested in Ukraine. We had--I would have helped prepare  
15 for any either staff meetings or formal testimony or  
16 anything else that would have been done on Ukraine by senior  
17 levels of the Department.

18 There was a lot of interaction between Congress and the  
19 executive because, again, a key part of this puzzle was  
20 Parliament in Ukraine, and it's very effective if our  
21 Congress and Parliament are also--have connections for us to  
22 be able to move policy and achieve the policy goals for the  
23 American people.

24 MR. SCHRAM: Did Congress support the Obama  
25 administration's policy with respect to Ukraine during your

1 time at the State Department?

2           AMBASSADOR BRINK: As I recall, we had very strong  
3 bipartisan support, and I did a number of briefings to  
4 staff, classified and unclassified briefings, during the  
5 course of my time as Deputy Assistant Secretary, and it was  
6 always a very strong bipartisan group. And, of course, part  
7 of Congress' role is to have oversight over what we're doing  
8 and to ask the questions, but I never found that there was  
9 disagreement on--in the general sense, what we were trying  
10 to do, or on any specific issue. And if there were, we  
11 would have sat down to talk this through in a serious way,  
12 and I don't ever remember that.

13           MR. SCHRAM: Are you familiar with the United States  
14 Senate Ukraine Caucus?

15           AMBASSADOR BRINK: Yes.

16           MR. SCHRAM: And what is that?

17           AMBASSADOR BRINK: Well, it's just a caucus of  
18 interested Senators, usually bipartisan. I'm not sure who  
19 is leading it now but, you know, who are particularly  
20 interested in Ukraine and who I would always brief, but  
21 together with usually members of the SFRC and other, you  
22 know, interested entities, when they wanted a briefing or  
23 wanted to speak with us.

24           MR. SCHRAM: Marking as Exhibit A, a February 12, 2016,  
25 letter from the Senate, the Ukraine Caucus, to President

1 Poroshenko. And please take as much time as you need to  
2 review this document and let me know when you're ready.

3 [Brink Exhibit A was marked  
4 for identification.]

5 MR. SCHRAM: I will ask you a question about the second  
6 to last paragraph, specifically with respect to reforms of  
7 the Prosecutor General's Office.

8 MR. MacDOUGALL: To Ambassador Brink, if there's  
9 anything that you want to discuss as you read this letter  
10 with counsel we will take a private break and do that.

11 AMBASSADOR BRINK: Okay. If you might, go down a  
12 little bit.

13 [Pause.]

14 AMBASSADOR BRINK: Yeah. Can I see who signed it?  
15 Yeah.

16 MR. SCHRAM: Drawing your attention--sorry. What were  
17 you saying?

18 AMBASSADOR BRINK: No, it's okay. Go ahead.

19 MR. SCHRAM: Drawing your attention to the second to  
20 the last paragraph, the letter states, "We similarly urge  
21 you to press ahead with urgent reforms to the Prosecutor  
22 General's Office and Judiciary."

23 First, do you recall having seen this letter at the  
24 time?

25 AMBASSADOR BRINK: I don't recall it but it sounds

1 consistent to what I know.

2 MR. SCHRAM: With respect to Congress' support for  
3 Ukraine policy?

4 AMBASSADOR BRINK: Mm-hmm. Yes.

5 MR. SCHRAM: And the sentence, "We similarly urge you  
6 to press ahead with urgent reforms to the Prosecutor  
7 General's Office and Judiciary," at that time, February  
8 2016, what were the urgent reforms that the U.S. Government  
9 was pursuing with respect to the Prosecutor General's Office  
10 and Judiciary?

11 AMBASSADOR BRINK: So I don't remember the specifics of  
12 these, but the general thing was, and something that just,  
13 you know, understandable to anyone, is that they needed to  
14 prosecute corrupt individuals. They needed to investigate  
15 and prosecute, and that's what wasn't happening. So we had  
16 some U.S. assistance, for various programs, either an actual  
17 prosecutor, who was in the Prosecutor General's Office to  
18 assist with identify cases to be prosecuted, among other  
19 things. So we had a lot of specific programs that were not  
20 being used appropriately, effectively, and that was taxpayer  
21 money and that was a problem.

22 On the Judiciary, I don't recall specifically the  
23 issues with regard to the Judiciary, but I think, as I've  
24 mentioned before, there is a long history of the Prosecutors  
25 General being more powerful than the judges in this part of

1 the world, and that's a problem because the Prosecutors  
2 General are often very tied into the political leadership.  
3 So it's this nexus of corruption that needed to be broken  
4 and changed, but very hard to do because it had a long  
5 history.

6 MR. SCHRAM: On the date this letter was signed,  
7 February 12, 2016, the Prosecutor General was Viktor Shokin.  
8 Correct?

9 AMBASSADOR BRINK: Sorry. What's the date that the  
10 letter was signed?

11 MR. SCHRAM: February 12, 2016.

12 AMBASSADOR BRINK: Yes, I think he was still Prosecutor  
13 General at that time. He handed in his resignation in  
14 March, I believe, 2016.

15 MR. SCHRAM: Do you understand this letter to be  
16 supporting the removal of Prosecutor General Shokin?

17 MR. MacDOUGALL: Objection. Calls for speculation and  
18 interpretation of somebody else's words.

19 MR. SCHRAM: I'm simply asking her understanding, what  
20 she took it to mean.

21 MR. MacDOUGALL: Well, she just read it for the first  
22 time. If you'd like to take a break we can discuss it,  
23 whether she can answer the question. But you're asking her  
24 to essentially evaluate what somebody else wrote, and that's  
25 outside the scope of what we understand her testimony to be.

1 MR. SCHRAM: All right. Let's stick to the public  
2 record. Marking as Exhibit B, an article in The Hill from  
3 October 3, 2019, entitled, "GOP Senator says he doesn't  
4 remember signing 2016 letter urging reform of Ukraine  
5 Prosecutor's Office."

6 [Brink Exhibit B was marked  
7 for identification.]

8 MR. SCHRAM: Ambassador, please take as much time as  
9 you need to familiarize yourself with this article. I will  
10 ask you about the fifth paragraph that begins, "Johnson did  
11 acknowledge the letter."

12 [Pause.]

13 AMBASSADOR BRINK: Mm-hmm. Sorry. Can you just scroll  
14 to the end?

15 [Pause.]

16 AMBASSADOR BRINK: Mm-hmm. Okay.

17 MR. SCHRAM: Ambassador, drawing your attention to the  
18 fifth paragraph, which states, "Johnson did acknowledge the  
19 letter in an interview Thursday on WIBA's The Vicki McKenna  
20 Show, saying, quote, 'The whole world, by the way, including  
21 the Ukrainian Caucus, which I signed the letter, the whole  
22 world felt that Mr. Shokin wasn't doing a good enough job,  
23 so we were saying, hey, you've got to rid yourself of  
24 corruption,'" end quote.

25 Is this consistent with what you've testified that you

1 felt Congress was supportive of the U.S. Government's  
2 anticorruption efforts in Ukraine?

3 MR. MacDOUGALL: Mr. Schram, again, I'm going to object  
4 to that and instruct the witness not to answer. You're  
5 asking her to comment on a news article that she didn't  
6 write, that she's just read for the first time, and a  
7 statement that is attributed to the Chairman of the  
8 Committee, and that's--she's testified in depth about her  
9 personal knowledge, events she was a witness to and  
10 participated in. This is outside the scope of her testimony  
11 and I'm going to instruct her not to answer.

12 MR. SCHRAM: Mr. MacDougall, the witness has just  
13 testified about contemporaneous support from Congress with  
14 respect to the anticorruption agenda in Ukraine, and I'm  
15 looking at a specific example in the public record and  
16 asking if her understanding, is that consistent with the  
17 policy. So I don't believe I'm calling for speculation or  
18 interpretation, only her contemporaneous understanding.

19 MR. MacDOUGALL: Well, contemporaneous understanding of  
20 what? I mean, she stated what the policy and the process  
21 was as she understood it, and now you're asking her to  
22 opine, I suppose, as to whether the Chairman's statement,  
23 you know, in the Hill article is consistent with that  
24 policy, and that's outside the scope. She is here to talk  
25 about facts and her own experience. She is a sitting

1 Ambassador and you're trying to put her in a position she  
2 shouldn't be in, so I'm going to instruct her not answer.

3 MR. SCHRAM: I'm just seeking to develop specific  
4 examples of Congress' support for U.S. policy, but I will  
5 ask it differently.

6 MR. MacDOUGALL: Yeah, no, I think if you want to ask  
7 her if she can identify examples of Congress' support for  
8 U.S.-Ukraine policy that's perfectly appropriately, and have  
9 at it. But asking her to comment on a The Hill article is  
10 outside the scope.

11 MR. SCHRAM: Ambassador Brink, was Chairman Johnson  
12 supportive, among the Senators that you testified were  
13 supportive of U.S. policy in Ukraine?

14 AMBASSADOR BRINK: I don't remember specifically this  
15 letter or specifically Chairman Johnson's position. I can  
16 just say that as the Deputy Assistant Secretary I felt,  
17 because I had personal interactions with many staff members  
18 as I was briefing them, that they were supportive, that they  
19 wanted information, that they wanted to be a part of, you  
20 know, helping Ukraine succeed, that they felt this was a big  
21 issue with regard to not just Ukraine but Russia and  
22 European security. And in the general sense they were  
23 supportive of the administration. And our goal, under my  
24 Assistant Secretary, was to work closely with Congress and  
25 everyone in the U.S. Government and European partners to

1 achieve our policy goals.

2 MR. SCHRAM: On a bipartisan basis.

3 AMBASSADOR BRINK: Sorry?

4 MR. SCHRAM: And that was on a bipartisan basis?

5 AMBASSADOR BRINK: Of course, yes.

6 MR. SCHRAM: The policy of calling for the removal of  
7 Prosecutor General Shokin, was that the consensus view of  
8 the U.S. Government?

9 AMBASSADOR BRINK: I don't know if that was--I can't  
10 speak to that, you know, what was the consensus view. I  
11 don't recall how that specific policy came about or exactly  
12 when. It happened as I started as Deputy Assistant  
13 Secretary. I do think there was fundamental agreement  
14 within the government or within the people who follow  
15 anticorruption issues closely that Shokin was blocking and  
16 undermining efforts of reform and efforts for us--and was  
17 essentially not allowing us to use U.S. taxpayer money for  
18 its intended purpose, which was to fight corruption and to  
19 support reform in the Prosecutor General's Office.

20 MR. SCHRAM: Was it your view that removing Prosecutor  
21 General Shokin would advance our reform agenda in Ukraine?

22 AMBASSADOR BRINK: Yes.

23 MR. SCHRAM: And to what extent was our reform agenda  
24 supported by our European partners and international  
25 financial institutions that we worked with in the region?

1           AMBASSADOR BRINK: Well, of course there was IMF, big  
2 IMF commitment, and Ukraine had to undertake actions in  
3 order to get disbursements from the IMF. And I don't  
4 remember what the specific requirements were at each step,  
5 but continuing reform, and as part of that continuing to  
6 advance anticorruption measures was a part of the IMF  
7 commitment. It was also a part of the loan guarantees.  
8 This was an important part of what we were doing to ensure  
9 that this big investment of U.S. money was used to achieve  
10 policy goals.

11          MR. SCHRAM: How involved were you with respect to the  
12 third loan guarantee?

13          AMBASSADOR BRINK: Not very involved. It's usually  
14 done among the economic experts at the State Department and  
15 Treasury, with regard to conditions precedent, and so  
16 someone on my team would have been working closely with the  
17 right economic people on that. And then essentially we  
18 would help or support it by taking whatever those conditions  
19 precedent were and pushing them at the policy level.

20          MR. SCHRAM: Was the U.S. Government position  
21 advocating for the removal of Prosecutor General Shokin part  
22 of an effort to stop an investigation into Burisma?

23          AMBASSADOR BRINK: No.

24          MR. SCHRAM: How do you know?

25          AMBASSADOR BRINK: Because the Prosecutor General's

1 Office was not investigating or prosecuting Burisma under  
2 Shokin.

3 MR. SCHRAM: Was it your view at the time that the  
4 dismissal of Prosecutor General Shokin would make it more or  
5 less likely that Burisma would be investigated for  
6 corruption?

7 AMBASSADOR BRINK: My judgment, it would be more  
8 likely, but again, Burisma was a small fish in a much larger  
9 pool with a lot bigger fish. It wasn't only about Burisma.  
10 It was about prosecuting prominent figures who controlled  
11 many aspects of the economy--the banking sector, energy  
12 sector, other things. So this was a very big deal, not  
13 because of Burisma alone--that was a part of it--but there  
14 were--there was massive, widespread, endemic corruption that  
15 needed to be broken for Ukraine to be successful, for the  
16 people to actually have a chance at a real economy and  
17 independence.

18 MR. SCHRAM: And do you feel that the work that you did  
19 on that issue advanced the cause of combating corruption?

20 AMBASSADOR BRINK: I believe, yes, but on the margins.  
21 Corruption is really hard to--really hard to break. You  
22 need senior leadership, you need good rules in place, you  
23 need a public that is also willing to sacrifice and follow  
24 the rules, and you need oversight agencies and people who  
25 are making sure that that is happening in the proper way.

1 And you need all those factors together. It's very hard.

2 MR. SCHRAM: And the Vice President's role in advancing  
3 our anticorruption agenda, how did that impact your ability  
4 to make progress?

5 AMBASSADOR BRINK: Well, as I said, in our business the  
6 higher political level, the more influence that you're able  
7 to wield. So having the Vice President push on issues,  
8 including anticorruption, but on other issues with regard to  
9 Ukraine, was very important and very helpful.

10 MR. SCHRAM: Was the policy advocating for the  
11 dismissal of Prosecutor General Shokin formulated by Vice  
12 President Biden in an effort to assist his son?

13 AMBASSADOR BRINK: No.

14 MR. SCHRAM: How often did Hunter Biden's name come up  
15 during the development of Ukraine policy?

16 AMBASSADOR BRINK: It never came up in my presence.

17 MR. SCHRAM: Did Hunter Biden's role on the board of  
18 Burisma influence U.S. foreign policy in any way, to the  
19 best of your knowledge?

20 AMBASSADOR BRINK: No.

21 MR. SCHRAM: And how do you know?

22 AMBASSADOR BRINK: Because by removing Shokin there was  
23 a larger chance that Burisma would be prosecuted.

24 MR. SCHRAM: In the Chairman's August 10th--sorry. Go  
25 ahead.

1           AMBASSADOR BRINK: Because the Prosecutor General's  
2 Office, Shokin and/or his deputies, were protecting Burisma,  
3 were prohibiting, were preventing prosecution of Burisma,  
4 not just Burisma but also other prominent cases of  
5 corruption.

6           MR. SCHRAM: Understood. In the Chairman's August 10th  
7 open letter he wrote, quote, "Isn't it obvious what message  
8 Hunter Biden's position on Burisma's board sent Ukrainian  
9 officials? The answer: if you want U.S. support, don't  
10 touch Burisma."

11           Ambassador Brink, did you ever deliver to the  
12 Ukrainians the message that if they want U.S. support they  
13 should not touch Burisma?

14           AMBASSADOR BRINK: No.

15           MR. SCHRAM: To your knowledge, did anyone in the U.S.  
16 Government ever convey that message?

17           AMBASSADOR BRINK: Not to my knowledge.

18           MR. SCHRAM: Do you think--pardon me. Did U.S.  
19 officials consistently communicate United States support for  
20 anticorruption reforms to Ukrainian officials?

21           AMBASSADOR BRINK: Sorry. Could you repeat that one  
22 more time?

23           MR. SCHRAM: Did U.S. officials consistently  
24 communicate United States support for anticorruption reforms  
25 to Ukrainian officials?

1           AMBASSADOR BRINK: Yes.

2           MR. SCHRAM: And did that include the September 24,  
3 2015, speech by Ambassador Pyatt and the December 19--pardon  
4 me--December 9, 2015, speech by Vice President Biden?

5           AMBASSADOR BRINK: Yes.

6           MR. SCHRAM: And would targeting corruption in Ukraine  
7 include targeting corruption by Mr. Zlochevsky or at  
8 Burisma?

9           AMBASSADOR BRINK: Yes. Ambassador Pyatt mentioned  
10 Burisma specifically in his speech.

11          MR. SCHRAM: Ambassador Brink, the majority raised your  
12 January 21, 2016, meeting with the Ukrainian delegation of  
13 senior prosecutors, and in the last round, you discussed the  
14 purpose of that meeting. But if you wouldn't mind  
15 summarizing in brief, what was your purpose in those  
16 meetings?

17          AMBASSADOR BRINK: The U.S. Government and the U.S.  
18 Congress and the U.S. taxpayers had put a lot of money into  
19 Ukraine to set up anticorruption programs and institutions.  
20 Two of those were headed by these two individuals that I  
21 met: one, the special anticorruption prosecutor's office  
22 and the other was the--I can't remember the actual name. So  
23 the first one, the acronym is SAPO, and the other--the  
24 National Anticorruption Bureau, NABU. These two offices  
25 were in charge with both investigating and then prosecuting

1 corruption cases, and the reason that these had to be set up  
2 is because the prosecutor general's office was not working  
3 properly and was not prosecuting corruption cases. So the  
4 idea was to have a separate office with separate authorities  
5 that could properly and adequately prosecute cases of  
6 corruption.

7       And so we had funded it from the United States, and  
8 they came to the U.S. in order to tell us how the set-up of  
9 this office was going and how they were working and what  
10 they were doing. And from my recollection, we discussed,  
11 you know, how many prosecutors they had, how many  
12 investigators they had, how they're working together, how  
13 they are preventing corrupt elements from infiltrating into  
14 their process; you know, how did they keep the process, the  
15 integrity of the process; what exactly they were doing to  
16 protect that; what more they needed; did they need more  
17 authorities or, you know, what did we need to do to ensure  
18 that this assistance we were giving them was effective?

19       And so that's why I met with them, and I know that they  
20 were in town to meet with a wide of variety of people. They  
21 represented a significant investment, and as I have said  
22 before, it's our--when that happens, especially, it's our  
23 duty and our responsibility to make sure that that  
24 investment is being used appropriately and that we are being  
25 responsible with U.S. taxpayer money.

1 MR. SCHRAM: So to be crystal clear, was the purpose of  
2 that meeting to deliver to the Ukrainians a message to keep  
3 their hands off of Burisma or Hunter Biden?

4 AMBASSADOR BRINK: No. No, absolutely not.

5 MR. SCHRAM: Marking as Exhibit C a letter dates  
6 November 21, 2019, from Chairmen Johnson and Grassley to the  
7 Archivist of the United States.

8 [Brink Exhibit C was marked  
9 for identification.]

10 MR. SCHRAM: Please take as much time as you need to  
11 review this document. I will ask you about the third  
12 paragraph.

13 [Pause.]

14 AMBASSADOR BRINK: If you might just go further.

15 [Pause.]

16 AMBASSADOR BRINK: Okay.

17 MR. SCHRAM: Ambassador Brink, turning your attention  
18 to the third paragraph.

19 AMBASSADOR BRINK: Is that the one starting with,  
20 "According to"?

21 MR. SCHRAM: No. "During the same meeting."

22 AMBASSADOR BRINK: Oh.

23 MR. SCHRAM: So this refers to a series of meetings on  
24 January 16th--sorry, in January of 2016, and one of the  
25 meetings that the delegation took in D.C., not the one that

1 you were a participant in. The letter reads: "During that  
2 same meeting, U.S. officials also reportedly brought up  
3 investigations relating to Burisma Holdings, the Ukrainian  
4 gas company that had hired then-Vice President Joe Biden's  
5 son Hunter to serve as a board member. According to  
6 Telizhenko, U.S. officials told Ukrainians they would prefer  
7 that Kyiv drop the Burisma probe and allow the FBI to take  
8 it over."

9 Do you know who Mr. Telizhenko is, Andrii Telizhenko?

10 AMBASSADOR BRINK: I understand he was a third  
11 secretary at the Ukrainian Embassy.

12 MR. SCHRAM: Are you familiar with his role in  
13 promoting narratives related to Ukrainian interference in  
14 the 2016 election?

15 AMBASSADOR BRINK: I have seen some press reporting,  
16 yes.

17 MR. SCHRAM: And promoting the narratives that Vice  
18 President Biden's actions in Ukraine were corrupt?

19 AMBASSADOR BRINK: I've seen the press reporting on  
20 this.

21 MR. SCHRAM: To your knowledge, did anyone in the U.S.  
22 Government ever convey to anyone in the Ukrainian Government  
23 that the U.S. "would prefer that Kyiv drop the Burisma  
24 probe"?

25 MR. MacDOUGALL: Mr. Schram, that question is limited

1 to the witness' personal knowledge, I take it.

2 MR. SCHRAM: Yes.

3 AMBASSADOR BRINK: To my knowledge, no.

4 I would just say in these cases there has to be a U.S.  
5 nexus for the FBI or anyone--any other investigative entity  
6 to be interested in it, and I don't know of a U.S. nexus  
7 with regard to Burisma.

8 MR. SCHRAM: I'll stop there.

9 MR. DOWNEY: Okay. It is 11:28. Ambassador Brink,  
10 would you like a 5-minute break?

11 AMBASSADOR BRINK: Sure. Thank you.

12 MR. DOWNEY: Okay. We'll come back at--we'll say 11:35  
13 Eastern time.

14 AMBASSADOR BRINK: Thank you.

15 MR. DOWNEY: Thanks.

16 [Recess.]

17 MR. DOWNEY: It's 11:38, and we're back on the record  
18 with Ambassador Brink.

19 I have a couple clean-up questions from our first hour,  
20 Ambassador. During your time as the Deputy Assistant  
21 Secretary for the European Bureau, if yourself or members of  
22 your team raised issues of conflicts of interest, who within  
23 the State Department would you report those concerns to?

24 AMBASSADOR BRINK: Usually to the Legal Advisor.

25 MR. DOWNEY: And the Legal Advisor at the State

1 Department would then handle any obligations or concerns  
2 that yourself or members of your team would have?

3       AMBASSADOR BRINK: Yes. We have ethics attorneys to  
4 deal with questions like this.

5       MR. DOWNEY: Okay. And then during your time as Deputy  
6 Assistant Secretary of the European Bureau, did the Russians  
7 use Hunter Biden's Burisma board seat as a tool to harm  
8 U.S.-Ukraine policy?

9       AMBASSADOR BRINK: I have no awareness of that  
10 happened. I don't know.

11       MR. DOWNEY: So during your time as the Deputy  
12 Assistant Secretary, there was no articles or information  
13 that the Russians were pushing because of Hunter Biden being  
14 on Burisma's board?

15       AMBASSADOR BRINK: I am unaware of any examples.

16       There was an article in the New York Times, but that  
17 was obviously a U.S. publication. But I'm unaware of other  
18 articles or other pieces of information that may be out  
19 there.

20       MR. DOWNEY: Okay. So we're going to the--back to  
21 the U.S. loan guarantees that the--

22       AMBASSADOR BRINK: Can I just--sorry, Mr. Downey. Can  
23 I just stress once again that this idea that pushing to  
24 remove Shokin would--and somehow protect Burisma is--just  
25 doesn't align with the fact that Shokin was not prosecuting

1 and his team of prosecutors were not prosecuting Burisma or  
2 anyone else. So by removing Shokin, the actual effect,  
3 potentially, would be to increase the chance that Burisma  
4 and these other corrupt or allegedly corrupt actors in  
5 businesses would be prosecuted.

6 MR. DOWNEY: Understood.

7 So the third U.S. loan guarantee to Ukraine, public  
8 reporting shows that it was announced June 3rd, 2016, signed  
9 June 3rd, 2016, but entered into force on September 27th,  
10 2016. Does that generally align with your view when you  
11 were the Deputy Assistant Secretary in 2016?

12 AMBASSADOR BRINK: I don't recall the specific dates.

13 MR. DOWNEY: Okay. Regarding the third U.S. loan  
14 guarantee to Ukraine and as you were the Deputy Assistant  
15 Secretary for the European Bureau, did members of your team  
16 or anyone in the State Department discuss conditioning  
17 Shokin's removal to releasing the third \$1 billion loan  
18 guarantee?

19 AMBASSADOR BRINK: I don't recall what the specific  
20 conditions precedent were. I am sure there was something on  
21 corruption. What the specifics on that were, I don't know.  
22 It would have been part of a record, and this would have  
23 been something that would have been in the record, so to  
24 speak. I don't recall precisely what they were.

25 I mean, our goal, again, is not about personalities.

1 It's about seeing results. So from our perspective, it was  
2 how--what needed to be done to achieve results--

3 MR. DOWNEY: So during your time--

4 AMBASSADOR BRINK: --the prosecutions of corruption.

5 MR. DOWNEY: So during your time as Deputy Assistant  
6 Secretary in the 2016 time frame, did your boss, Victoria  
7 Nuland, ever discuss conditioning Shokin's removal to the  
8 release of the third \$1 billion loan guarantee to Ukraine?

9 AMBASSADOR BRINK: I don't recall the specifics.

10 MR. DOWNEY: Do you know who within the Vice  
11 President's office was working with the State Department on  
12 the third \$1 billion loan guarantee to Ukraine?

13 AMBASSADOR BRINK: Well, I don't know that anyone in  
14 the Vice President's office would have been focused on that  
15 specific thing. In the Vice President's office are  
16 advisors, and they generally advise the Vice President on a  
17 broad range of--a large number of countries and issues. So  
18 I don't know that the Vice President had someone  
19 specifically focused on that. He would have had--and as is  
20 the case today--a European advisor, but that person's  
21 responsibility spans 50 countries--

22 MR. DOWNEY: So--

23 AMBASSADOR BRINK: --and probably has other  
24 responsibilities as well.

25 MR. DOWNEY: So during your time as Deputy Assistant

1 Secretary in 2016, who was Vice President Biden's, for lack  
2 of a better term, Ukraine advisor?

3       AMBASSADOR BRINK: During the time that I was there, I  
4 think it was Mike Carpenter and then another person who  
5 followed him, Anna--and I can't recall her last name now.

6       MR. DOWNEY: Anna, you said?

7       AMBASSADOR BRINK: Anna.

8       MR. DOWNEY: Or Anna?

9       AMBASSADOR BRINK: I'm sorry. I can't recall her last  
10 name.

11       MR. DOWNEY: Do you know during your time as Deputy  
12 Assistant Secretary for the European Bureau in 2016 what  
13 individuals on the National Security Council, what--if they  
14 had any role in developing the third loan guarantee to  
15 Ukraine?

16       AMBASSADOR BRINK: I don't know the answer to that.

17       MR. DOWNEY: Do you know in--so during the time of  
18 2016, who within the NSC had the Ukraine portfolio?

19       AMBASSADOR BRINK: There were a few different people.  
20 I don't recall precisely who had the Ukraine portfolio.  
21 Often that person would be in contact with my team, not  
22 necessarily with me. But, yeah, I don't know because I  
23 wasn't in the NSC at the time.

24       MR. DOWNEY: Does Charlie Kupchan--

25       AMBASSADOR BRINK: He was the senior director for

1 Europe, and yes, he was someone who was involved in the  
2 Ukraine, but not just Ukraine. He had responsibilities  
3 broader than that.

4 MR. DOWNEY: So when you were the Deputy Assistant  
5 Secretary, would you communicate with Mr. Kupchan during  
6 this time period?

7 AMBASSADOR BRINK: Sometimes he would communicate, as  
8 is normal, much of the time with my Assistant Secretary, but  
9 I would communicate with him occasionally and occasionally  
10 with his staff. We had often our detailees from government  
11 agencies. I can't remember. There were a few different  
12 ones that I worked with over my period of time because often  
13 they spend just one year in the office. And then they move  
14 to somewhere else.

15 MR. DOWNEY: So during this 2016 time period when  
16 you're the Deputy Assistant Secretary of the European  
17 Bureau, did you participate in any discussions about  
18 conditioning the third loan guarantee to Ukraine?

19 AMBASSADOR BRINK: I just don't recall.

20 MR. DOWNEY: But the position you held in 2016, you and  
21 your team would--would you be involved in those discussions?

22 AMBASSADOR BRINK: Yes. But, again, these are things  
23 that are primarily done by the expert level on the economic  
24 side. So if I did participate, under normal circumstance,  
25 there would be meetings among the economic experts because

1 it's about macroeconomic assistance, and these are huge  
2 amounts of money, obviously. And so the idea is to help  
3 with the Ukrainian economy. So you need economic experts  
4 looking at this, and so I would have probably, you know,  
5 seen what the conditions precedent were. It also would have  
6 been something that our assistance arm--we have an  
7 assistance coordinator in Europe in that office, and that  
8 person would have been heavily involved in that as well.

9 But my job would have been more focused on the policy  
10 side, and certainly, I am sure that there were  
11 anticorruption reforms as part of this conditions precedent.  
12 But they would have also been aligned with IMF conditions,  
13 which are made not just by the United States, but by a  
14 number of countries that are responsible. And so it would  
15 have been complementary and aligned with the IMF conditions,  
16 aligned with our policy approach, and also offering the best  
17 way to support the Ukrainian economy. So that would have  
18 started among this largely economic- and assistance-focused  
19 part of the State Department and U.S. government agencies,  
20 and then it would have come to me at some point and then  
21 gone higher at some point.

22 MR. DOWNEY: So for econ in the State Department, would  
23 that be Catherine Novelli and her group that would be  
24 involved?

25 AMBASSADOR BRINK: It would be--she was--as I recall,

1 she was the Under Secretary for Economic Affairs, so yes.  
2 She would be involved or her staff probably, and, you know,  
3 someone, the economic officer from my staff in coordination  
4 with the embassy in Ukraine and the economic people who are  
5 there, together with others from Treasury and the NSC. So,  
6 yes, it would have been done in that way and with this  
7 assistance coordinator position in the European Bureau  
8 because they're responsible for the assistance.

9 MR. DOWNEY: So going back to Vice President Biden's  
10 trip to Ukraine in December 2015 where he gave the speech to  
11 the Rada, I think you mentioned that the State Department  
12 had some involvement maybe with his speech that he gave.  
13 Did you do any other prep for Vice President Biden's  
14 December 2015 trip?

15 AMBASSADOR BRINK: I don't remember the specifics, but  
16 how the process works is the State Department, specifically  
17 the desk, you know, the people that worked for me would have  
18 been the people who drafted the speech, the first draft,  
19 would have been the people who drafted press points, would  
20 have been the people who drafted briefing memos for the  
21 meetings in coordination, of course, with our embassy, and  
22 that all of that then gets sent over to the Vice President's  
23 office and then is, you know, put in a way that he can use.

24 MR. DOWNEY: Do you know if Vice President Biden  
25 conveyed concerns about Prosecutor General Shokin to

1 President Poroshenko in December of 2015?

2       AMBASSADOR BRINK: Do I know if he did?

3       MR. DOWNEY: Correct.

4       MR. THOMAS: My apologies. This is Ken Thomas at  
5 State.

6       I understand that perhaps a generic topic could be  
7 possible in an answer, but I just want to--you've all heard  
8 me before. If this is about her knowledge of a direct  
9 conversation between the Vice President and the Ukrainian  
10 President, the privilege, if any, on that belongs to the  
11 former administration, and we are neither asserting nor  
12 waiving privilege here.

13       MR. DOWNEY: Okay. Thank you, Ken.

14       So, Ambassador Brink, you testified that you did not  
15 travel with the Vice President to Ukraine in 2015, in  
16 December of 2015, correct?

17       AMBASSADOR BRINK: Correct.

18       MR. DOWNEY: Did you receive a debrief on how the trip  
19 went from other members of the State Department who did go  
20 with the Vice President to Ukraine in December of 2015?

21       AMBASSADOR BRINK: I don't recall specifically, but I'm  
22 sure I did.

23       MR. DOWNEY: Did anyone in the State Department  
24 disclose to you that Vice President Biden conveyed his  
25 concerns about Prosecutor General Shokin to President

1 Poroshenko in December of 2015?

2       AMBASSADOR BRINK: I just don't know if I can answer  
3 this because it may be classified information.

4       MR. DOWNEY: Who in the State Department would debrief  
5 you after a trip like that where the Vice President went to  
6 a foreign country to deliver a speech like this?

7       AMBASSADOR BRINK: Probably somebody who would have  
8 gone on the trip.

9       MR. DOWNEY: So did Victoria Nuland debrief you after  
10 the December 2015 trip to Ukraine?

11       AMBASSADOR BRINK: I don't recall specifically, but it  
12 is normal in our business that if somebody is--like me or  
13 she is traveling, that when you get back, you brief your  
14 staff so they can follow up on any issues.

15       MR. DOWNEY: So did Victoria Nuland disclose to you  
16 that Vice President Biden conveyed concerns about Shokin to  
17 President Poroshenko in December of 2015?

18       AMBASSADOR BRINK: I just don't know if I'm able to  
19 answer in this format. I guess I have to get advice from my  
20 lawyer and from the State Department lawyer.

21       MR. MacDOUGALL: Well, I mean, if you have any reasons  
22 to believe it could be classified, then, of course,  
23 Ambassador Brink, you shouldn't discuss it or disclose it in  
24 either direction, not to suggest the answer is, you know,  
25 one answer or another.

1 I mean, our understanding from this document, this  
2 would be it.

3 AMBASSADOR BRINK: I would assume private--in our  
4 business, private conversations with heads of state or  
5 anyone else generally are classified.

6 So I don't know, Ken, if you have any guidance on this?

7 MR. THOMAS: Thank you, Ambassador.

8 There's two issues. One, the continuing issue about  
9 whether or not material might be privileged, but by  
10 definition, a communication from a senior official of the  
11 U.S. government in an exchange with a foreign government  
12 official is foreign government information. And there is a  
13 presumption that is rebuttable, but the presumption is that  
14 it would be, at a minimum, confidential or higher.

15 MR. DOWNEY: Okay. Well, I'm going to see if we can  
16 help move on the conversation, and I'm going to turn this  
17 over to my colleague, Mr. Wittmann.

18 AMBASSADOR BRINK: Thank you.

19 MR. WITTMANN: Hi, Ambassador Brink. Can you hear me?

20 AMBASSADOR BRINK: Yes.

21 MR. WITTMANN: So Vice President Biden, you might be  
22 aware, publicly talked about a conversation he had with  
23 President Poroshenko, and this was at a foreign affairs  
24 event in, I believe, January 2018. And he said--and this is  
25 a quote from him at the event--I said I'm telling you you're

1 not getting the billion dollars. I said you're not getting  
2 the billion. I'm going to be leaving here in--I think it  
3 was about six hours. I looked at them and said I'm leaving  
4 in six hours. If the prosecutor is not fired, you're not  
5 getting the money. Well, son of a--expletive, deleted. He  
6 got fired, and they put in place someone who was solid at  
7 the time.

8       So this is what the Vice President said publicly. Does  
9 this public description align with what you were--the  
10 briefings that you had about the Vice President's  
11 conversation with Mr. Poroshenko?

12       MR. MacDOUGALL: Objection. Mr. Wittmann, you've just  
13 read something that is unsourced and that you're asking the  
14 Ambassador to comment on. I'm not going to permit her to  
15 answer that question.

16       MR. WITTMANN: Ambassador Brink, would you like us to  
17 send you a transcript of this?

18       MR. MacDOUGALL: It won't make any difference. No,  
19 she's not going to comment on what was publicly said and  
20 what her opinion is and whether that aligns with the U.S.  
21 policy.

22       MR. WITTMANN: And she's not--the Ambassador is not  
23 going to comment on--

24       MR. MacDOUGALL: She's been--she's been instructed by  
25 her attorney not to answer.

1 MR. FOLIO: Hey, Scott, I'm going to--Mark, if I can  
2 just understand. So you're not asserting a privilege. So  
3 what basis are you instructing her not to answer?

4 MR. MacDOUGALL: Outside the scope of what our  
5 agreement was with regard to her testimony. You're  
6 entitled--and you've been asking for almost three hours now--  
7 -for the most part, what she knows personally, what she  
8 experienced personally, what she witnessed.

9 You're now asking her for her opinion on what somebody  
10 else said, and I've been consistent on both sides that we're  
11 not going to have the Ambassador answering those kind of  
12 questions.

13 MR. FOLIO: Okay. So just to be absolutely clear, I  
14 don't think the question was about opinion. I think the  
15 question is based about fact, that in her role as Deputy  
16 Assistant Secretary of State, her knowledge of Vice  
17 President Biden, describing how he implemented and executed  
18 U.S. policy which she was intimately familiar and worked on.

19 MR. MacDOUGALL: You're asking the same thing. You're  
20 asking her to opine on what someone else said, and I would--

21 MR. FOLIO: I don't think there was an opinion  
22 question. It was a fact question. I think an opinion  
23 question is a different issue, and I would probably  
24 disagree. But I think we can focus on the fact questions,  
25 and I think Mr. Wittmann wants to ask her when this

1 conversation occurred and what her knowledge of that  
2 conversation is. And I think those questions are more than  
3 appropriate.

4 MR. MacDOUGALL: Well, that's not what Mr. Wittmann was  
5 asking. If he wants to ask the Ambassador if she knows when  
6 the conversation happened and if the Ambassador was a  
7 witness to it, that's a different story, but if he's going  
8 to go into the question he actually asked, she's not going  
9 to answer it.

10 MR. FOLIO: Okay. Why don't we start there and see how  
11 it goes.

12 MR. WITTMANN: I'm happy to ask that question or,  
13 Ambassador Brink, if you understand the question please feel  
14 free--

15 MR. MacDOUGALL: Why don't you ask it again. Ask the  
16 question that you want to ask now.

17 MR. WITTMANN: Ambassador Brink, were you aware of Vice  
18 President Biden conveying this condition to President  
19 Poroshenko?

20 AMBASSADOR BRINK: Was the question if I was a witness  
21 to this?

22 MR. WITTMANN: Sure. Were you a witness to this?

23 AMBASSADOR BRINK: No. I was not on the trip.

24 MR. WITTMANN: Were you aware of this condition?

25 AMBASSADOR BRINK: I don't recall being briefed out on

1 any specifics such as this. But again, I wouldn't be able  
2 to, I don't think, talk about conversations between a Vice  
3 President and President of a sitting country, in any case,  
4 unless it's declassified.

5 MR. WITTMANN: Even if it's--even if that conversation  
6 has been described publicly by one of the people present in  
7 that conversation?

8 AMBASSADOR BRINK: I think Ken will tell you it doesn't  
9 matter. We went through this with WikiLeaks.

10 MR. MacDOUGALL: Amen.

11 MR. WITTMANN: Okay. Just so I understand--

12 MR. FOLIO: We have also gone through that with  
13 WikiLeaks. I think Mr. Wittmann makes a fair point that it  
14 was a purposeful disclosure by one of the parties, a member  
15 of the U.S. Government, which is a little bit different than  
16 an unacknowledged leak.

17 AMBASSADOR BRINK: I think for our purposes it remains  
18 classified. Just because someone, or reportedly allegedly  
19 someone says something, the information remains classified  
20 until it is declassified.

21 MR. FOLIO: So I think it would be helpful to have Ken  
22 chime in here, because obvious, you know, the Vice President  
23 would probably be considered an original classifying  
24 authority, and if the Vice President decided to publicly  
25 make comments about his conversation I think that would

1 probably address and resolve the issue definitely.

2       AMBASSADOR BRINK: Sorry, Mr. Folio. I think something  
3 with your speaker. Well, I can't hear you very well. I  
4 don't know if others can.

5       MR. FOLIO: I'm sorry. I was inviting Ken Thomas from  
6 the Legal Advisor's Office to opine, and I was drawing a  
7 distinction between the WikiLeaks incident, in which a third  
8 party allegedly disclosed U.S. Government documents as  
9 opposed to hearing a first-party participant to a  
10 conversation between a U.S. Government official and a  
11 foreign official released what happened during that  
12 conversation, and moreover, that person would be, himself,  
13 an original classifying authority, so he would have the  
14 authority to do that. So I don't know if State has a  
15 position, and I think it's undisputed that this is what the  
16 Vice President said publicly occurred during the  
17 conversation.

18       MR. THOMAS: Joe, this is Ken Thomas. Your last point  
19 is one which isn't necessarily for me to address, but what's  
20 "undisputed," quote/unquote, about what the Vice President  
21 said, I can't really address that, but that is a critical  
22 factual issue. But if, in fact, the President and Vice  
23 President have made statements, those are not leaks. Those  
24 are deemed to be statements made in their authority to  
25 declassify information that might have been classified at

1 the time they made them. But again, I can't speak to  
2 whether or not the quote out of a newspaper is, in fact,  
3 what the Vice President said.

4 MR. FOLIO: Thanks, Ken. The quote that we were  
5 reading was the transcript of an audio, a video recording of  
6 what the Vice President said. But I think we're all on the  
7 same page.

8 AMBASSADOR BRINK: I guess I just would say this. I am  
9 happy to talk about what I know. I just want to be very  
10 careful on classification and not speaking to issues which  
11 may be classified.

12 MR. FOLIO: We very much understand and appreciate  
13 that, and we share in that caution. And I think as I just  
14 described at the outset, that how we'd like to proceed in  
15 those instances is to try to understand exactly what the  
16 basis for the classification is, and then once we've nailed  
17 that down, talk about as much unclassified information as  
18 possible, and then we can follow up in a different setting  
19 to resolve any classified information that would answer the  
20 question.

21 So here I think I'll turn it back to Mr. Wittmann to  
22 ask a couple more questions about this conversation the Vice  
23 President described with regard to his interaction  
24 [inaudible] publicly.

25 MR. WITTMANN: Thank you, Mr. Folio. Ambassador Brink,

1 going back to this third loan guarantee--and I just want to  
2 make sure that the record is clear--we were you aware of any  
3 conditions related to the third U.S. loan guarantee to  
4 Ukraine?

5       AMBASSADOR BRINK: I'm sure I was at the time, but it  
6 was, I don't know, four years ago now and I don't recall  
7 what the specific conditions were. They would have been  
8 consistent with our policy, including on reforms, as a key  
9 part of it, and they also would have been complementary to  
10 the IMF conditionality, so that these all worked together.  
11 But I just don't remember what the specific conditions were,  
12 and I haven't seen anything since to remind. I don't know.

13       MR. WITTMANN: Is it your understanding that there were  
14 conditions for the third U.S. loan guarantee?

15       AMBASSADOR BRINK: Of course. There are always  
16 conditions. It's called conditions precedence, I  
17 understand. I'm not an economic experts, but yes, there  
18 would be conditions, of course. It's a \$1 billion loan  
19 guarantee.

20       MR. WITTMANN: And what is the--how are the conditions  
21 developed? Who--where does the idea for a condition  
22 originate?

23       AMBASSADOR BRINK: Well, I don't recall in this  
24 specific incident, you know, this specific example, how it  
25 was developed, but it would have been developed in a bottom-

1 up approach, where the econ experts at both the State  
2 Department, at Treasury, at other places that have interest  
3 in this, the National Security Council, would have gotten  
4 together to look at what would make sense. What would be  
5 both consistent with U.S. policy, what would be  
6 complementary to the IMF program and the things that Ukraine  
7 needs to do with that, and what would help with  
8 macroeconomic stability.

9       So those conditions would have been developed in some  
10 sort of process, probably an NSC-led process, probably led--  
11 I can't recall myself being a part of this process. It  
12 could have been that it was done through our economic side  
13 and then it came to me later, because it's a very economic-  
14 focused process. And it would have been then developed and  
15 approved, I would assume, I think, you know, through our  
16 normal policy process, so starting with the Assistant  
17 Secretary level, and then moving up to a Deputies Committee  
18 and approved at the Deputies level, unless it needed to go  
19 higher. I don't know and don't remember specifically, but  
20 \$1 billion would have probably gone through this process.

21       MR. WITTMANN: So at some point you are made aware of  
22 what the conditions or the proposed conditions are going to  
23 be for the U.S. loan guarantees?

24       AMBASSADOR BRINK: I normally would have, in the sense  
25 of, you know, once it's been agreed by our government then

1 we would implement it. And so even if this were developed  
2 on the economic side, let's say through the E chain of  
3 command in our State Department, which means another Deputy  
4 Assistant Secretary and another chain would have worked on  
5 this, I just don't remember. Even if that would have  
6 happened we would have incorporated it into our policy  
7 talking points once it's been agreed by the government. So  
8 whatever those conditions were we would have then followed  
9 up with ensuring that within every talking point, with every  
10 official, meeting every appropriate Ukrainian, we would have  
11 emphasized, reiterated, and relayed this, so that we were  
12 sending a consistent message across the U.S. Government.  
13 And that would have been my team would have kind of  
14 coordinated that to make sure that was happening.

15 MR. WITTMANN: Okay, so just so I understanding. So  
16 your team would coordinate how the conditions are going to  
17 be explained to Ukrainian officials. Is that correct?

18 AMBASSADOR BRINK: I mean, not necessarily with every  
19 single officials. It would be up to other agencies within  
20 the U.S. Government. But our responsibility, and the State  
21 Department's, to make sure that all State Department  
22 officials do. We also would be giving information to the  
23 National Security Council so that if it were the Vice  
24 President or the President, and if it were appropriate, you  
25 know, to raise it at those levels, and we also provide

1 advice when needed on policy issues to other National  
2 Security and other agencies, so Treasury and Commerce and  
3 others. So our team would have been a part of that process.

4 MR. WITTMANN: In preparation for Vice President  
5 Biden's December 2015 trip to Ukraine, did your team provide  
6 those types of preparations that you just described to the  
7 Vice President and his staff, if he was going to discuss the  
8 loan conditions?

9 AMBASSADOR BRINK: I can't remember the specifics of  
10 what we provided, but any time a senior principal, Cabinet  
11 member takes a trip to a country overseas, what we do in the  
12 State Department is the responsible expert level, but moving  
13 it through the Bureau front office, which included me as the  
14 DAS and included my boss as the Assistant Secretary, would  
15 prepare whatever is needed--briefing points, background,  
16 talking points--so that we're all saying the same thing.

17 So for that particular trip I am sure we did. It's a  
18 tremendous amount of preparation, and I'm sure that we were--  
19 -we did that prior to the trip, and supplied that to the  
20 National Security Council, the Vice President's Office, as  
21 is normal.

22 MR. WITTMANN: And would it have been normal within  
23 that preparation for there to be something about information  
24 about conditions on U.S. loan guarantees?

25 AMBASSADOR BRINK: I just don't remember where the

1 third loan guarantee was at that particular time. So  
2 certainly, as I've mentioned before, we had these two policy  
3 tracks, supporting Ukraine's independence and sovereignty  
4 and pushing reform. And so in that context of pushing  
5 reform, part of that is looking at how much U.S. taxpayer  
6 money is going toward Ukraine and how to make sure to use  
7 our principal wherever it's traveling--in this case it was  
8 the Vice President--to push very hard to make sure U.S.  
9 taxpayer money is spent effectively. And that's what we  
10 did. And I just don't recall the specifics on the  
11 guarantee.

12 MR. WITTMANN: Okay. I'm going to turn it back over to  
13 my colleague, Mr. Downey. Thank you.

14 MR. DOWNEY: Ambassador Brink, who was the Prosecutor  
15 General before Victor Shokin?

16 AMBASSADOR BRINK: Someone named Yarema, but I didn't  
17 know that person because, I mean, I didn't have any  
18 familiarity with that person. When I started in my position  
19 as Deputy Assistant Secretary the Prosecutor General was  
20 Viktor Shokin.

21 MR. DOWNEY: So during your time as Deputy Assistant  
22 Secretary, did you become aware of any corruption  
23 surrounding Yarema or his staff?

24 AMBASSADOR BRINK: I don't know any detail. The only  
25 point I had, that I know, is what I mentioned before with

1 regard to Burisma in 2014.

2 MR. DOWNEY: So during your time as Deputy Assistant  
3 Secretary, did any State Department officials raise  
4 allegations that Burisma's owner, Zlochevsky, paid a bribe  
5 to the PGO office under the Yarema team in an effort to  
6 close the case against Zlochevsky?

7 AMBASSADOR BRINK: I think that I saw in the  
8 information that was provided to me that George Kent made  
9 that statement in some communication.

10 MR. DOWNEY: So that would be--would that be the first  
11 time you were made aware of those allegations?

12 AMBASSADOR BRINK: I don't recall what the timing of  
13 that particular communication back to me was, but, you know,  
14 that's the only point that I know, except for Ambassador  
15 Pyatt's speech in Odessa in September of 2015.

16 MR. DOWNEY: Who became the Prosecutor General for  
17 Ukraine after Shokin was voted out by the Rada?

18 AMBASSADOR BRINK: Lutsenko.

19 MR. DOWNEY: What do you know about Mr. Lutsenko?

20 AMBASSADOR BRINK: Well, I think, from our perspective  
21 I think we hoped that whoever took over the Prosecutor  
22 General's Office would be someone who was a serious reformer  
23 and committed to reforms, including especially fighting  
24 corruption. He was not a prosecutor. He was a politician.  
25 A lot of people thought that was a bad idea. He said the

1 right things, and at first, I mean, our view from, and my  
2 view from a U.S. Government perspective is you can't--you  
3 have to look at what they're doing and see what the result  
4 is.

5       So he said the right things but he failed to take  
6 action. In my recollection, our experience with him was not  
7 much different from with Shokin, and we ended up, as a U.S.  
8 Government, as I recall, taking back some of the assistance  
9 that we had given to the Prosecutor General's Office because  
10 he, too, failed to prosecute.

11       MR. DOWNEY: So during that time frame that Lutsenko is  
12 the Prosecutor General in Ukraine, and you're the Deputy  
13 Assistant Secretary of the European Bureau, would you  
14 communicate with Lutsenko directly, or his office directly?

15       AMBASSADOR BRINK: No. I met him once when I went to--  
16 when he first started in his position, on a trip to Ukraine.  
17 And as I mentioned in my opening statement, my father's a  
18 former prosecutor, so I met with--

19       MR. DOWNEY: When did you meet with Lutsenko?

20       AMBASSADOR BRINK: I don't know what the time period  
21 was but it was on one of my trips to Ukraine. It was when  
22 he first started.

23       MR. DOWNEY: And what did you two discuss?

24       AMBASSADOR BRINK: It was right at the beginning, and  
25 as I recall we just discussed what his priorities were,

1 which was to get results--I clearly remember that--for the  
2 people of Ukraine. I guess that's the main thing. And how  
3 he was operating the office and what he was doing. That was  
4 the main discussion.

5 MR. DOWNEY: Was this a--

6 AMBASSADOR BRINK: It was not about specific cases.

7 MR. DOWNEY: Was this a planned trip to specifically  
8 meet with Lutsenko or was this part of a broader trip that  
9 you had to Ukraine at that time?

10 AMBASSADOR BRINK: It was part of my regular visits to  
11 the countries that I was responsible for, and the idea of  
12 meeting with Lutsenko was to send a strong message of it's  
13 really important that he carry out a strong anticorruption  
14 effort and that he reform the office for us to be able to  
15 give U.S. assistance. Otherwise we can't say that we're  
16 appropriately spending U.S. taxpayer money.

17 MR. DOWNEY: So this meeting that you had with Lutsenko  
18 in 2016, was this sought by you in the State Department or  
19 was this sought by Lutsenko and the Ukrainian officials?

20 AMBASSADOR BRINK: I can't remember if it was 2016. It  
21 might have been but I don't recall the date. It was--I  
22 mean, I was visiting Ukraine and so I was having meetings  
23 across a wide range of interlocutors. So I'm sure it was  
24 requested by us, but the reason I did it, because when we  
25 set out to go to a place, we look to our embassies to give

1 us recommendations. How can we help advance our policy  
2 priorities, and they give us a recommendation. So I'm sure  
3 what happened, my embassy said that I should do that, and do  
4 this meeting, and it would be helpful to send a message from  
5 Washington that reform needs to continue and it's really  
6 important in the Prosecutor General's Office to keep getting  
7 U.S. assistance, and to the success of Ukraine.

8 MR. DOWNEY: So who--how long did this meeting with  
9 Lutsenko last for and who else attended it?

10 AMBASSADOR BRINK: I don't recall. I mean, probably an  
11 hour or less.

12 MR. DOWNEY: Did George Kent attend?

13 AMBASSADOR BRINK: It would have been people from the  
14 embassy. I don't recall. I don't recall who was leading  
15 the embassy at the time, and usually it would be the  
16 Ambassador, the DCM, who would accompany the Deputy  
17 Assistant Secretary. I just don't recall.

18 MR. DOWNEY: And during this meeting with Lutsenko, did  
19 he raise any concerns about his office with you, or any  
20 concerns generally on how he was going to be able to perform  
21 his duties as Prosecutor General of Ukraine?

22 AMBASSADOR BRINK: I mean, again, I don't think I want  
23 to get into details of classified--what are probably still  
24 classified conversations. But I can say that my message was  
25 a very clear one. It was that, you know, the Prosecutor

1 General's Office had not been effective in the past. The  
2 United States was deeply committed to Ukraine's success, and  
3 part of that comes with \$3 billion of loan guarantees and  
4 almost \$1 billion in other assistance, and it was imperative  
5 that he actually do what the Prosecutor's Office had not  
6 done in the past, and that's to pursue corruption through  
7 investigations and prosecutions.

8 MR. DOWNEY: And in the end, Lutsenko failed as well.

9 AMBASSADOR BRINK: Yes.

10 MR. DOWNEY: How often did you communicate with George  
11 Kent when you were the Deputy Assistant Secretary for the  
12 European Bureau?

13 AMBASSADOR BRINK: Well, when he was the Deputy Chief  
14 of Mission position, very frequently.

15 MR. DOWNEY: Did he raise concerns to you about Hunter  
16 Biden being on Burisma's board?

17 AMBASSADOR BRINK: I know there was one email where he  
18 sent something back about these concerns. I do think,  
19 again, these date from 2014, so it wasn't something that he  
20 raised with me specifically at the time that I took up my  
21 role.

22 MR. DOWNEY: Do you know if Mr. Kent raised those  
23 similar concerns about Hunter Biden being on Burisma's board  
24 to Ambassador Geoffrey Pyatt?

25 AMBASSADOR BRINK: I don't know.

1 MR. DOWNEY: After you received these concerns from Mr.  
2 Kent, did you do anything with those? Did you discuss it  
3 further with Mr. Kent? Did you discuss it with Victoria  
4 Nuland? Did you do anything with those concerns?

5 AMBASSADOR BRINK: I think the way I received it was in  
6 an anecdotal way from an email from George Kent about a  
7 different set of issues.

8 MR. DOWNEY: So did you understand why he kept putting-  
9 -why did George Kent keep bringing up the concern that  
10 Hunter Biden was on Burisma's board to yourself and to other  
11 State Department officials?

12 AMBASSADOR BRINK: I mean, I can't--I don't want to  
13 speculate as to why he was doing it. I think he was trying  
14 to give a picture of what was going on in the context in  
15 which he told me.

16 MR. DOWNEY: Is it significant that the Deputy Chief of  
17 Mission for a U.S. Embassy would raise those types of  
18 concerns?

19 AMBASSADOR BRINK: I would say the way that it came to  
20 me from George was parenthetically and anecdotally, and in  
21 my receipt of it, I did not know whether at this point it  
22 was true or not true that Hunter Biden was on the Burisma  
23 board. He was talking about 2014, not today, so the fact  
24 from my perspective was that this was an allegation and an  
25 explanation of what was happening in 2014, not at the

1 moment.

2 MR. DOWNEY: Okay. We're going to enter in Exhibit 5,  
3 which will be Tab 11, Will, which is a State Department  
4 document, Bates numbered 345 to 347, and we'll put it up on  
5 the screen as well.

6 [Brink Exhibit No. 5 was  
7 marked for identification.]

8 MR. DOWNEY: Ambassador Brink, do you need time to  
9 review this?

10 AMBASSADOR BRINK: Yeah, I'm just going to look for it  
11 in my--what was the number? Sorry, the document number?

12 MR. DOWNEY: It is Bates number 345 to 347.

13 AMBASSADOR BRINK: Okay. Yes, I have it. Thank you.

14 MR. DOWNEY: Okay. So on September 6, 2016, George  
15 Kent sent an email to you, Jorgan Andrews, and Marie  
16 Yovanovitch, with the subject line: "Bullying threatening  
17 call by Blue Star's Sally Painter regarding Lutsenko."

18 Ambassador Brink, prior to receiving this email, were  
19 you aware of any effort by Blue Star Strategies to contact  
20 George Kent about one of their clients?

21 AMBASSADOR BRINK: Well, I mean, I received this email.

22 MR. DOWNEY: Prior to receiving this email from George  
23 Kent, were you aware that, according to Mr. Kent, Blue Star  
24 Strategies had been arranging a trip to Washington for  
25 Prosecutor General Lutsenko to meet high levels of the

1 Clinton campaign and attend other meetings?

2       AMBASSADOR BRINK: I don't recall, but I don't think I  
3 was aware.

4       MR. DOWNEY: From your position as the Deputy Assistant  
5 Secretary for the European Bureau, what's your view on  
6 private parties seeking to arrange a meeting like described  
7 above or that I just described?

8       MR. MacDOUGALL: Objection, calls for speculation.  
9 I'll instruct the witness not to answer.

10       MR. DOWNEY: Ambassador Brink, do you recall receiving  
11 this email?

12       AMBASSADOR BRINK: I didn't recall it until I received  
13 it again, but, yes, I recall now receiving it.

14       MR. DOWNEY: What was your reaction to receiving this  
15 call summary from Mr. Kent in September of 2016?

16       AMBASSADOR BRINK: I didn't have any real reaction to  
17 it. It was a good heads up that Lutsenko was trying to come  
18 to Washington and that Blue Star Strategies was apparently  
19 seeking meetings.

20       MR. DOWNEY: So earlier we discussed you traveled to  
21 Ukraine and had a meeting with Lutsenko. Did that meeting  
22 occur before September 2016?

23       AMBASSADOR BRINK: I just don't recall. I'm sorry.

24       MR. DOWNEY: Okay. If you'd turn your attention to  
25 Bates number 346?

1           AMBASSADOR BRINK: Mm-hmm.

2           MR. DOWNEY: George Kent wrote: "Zlochevsky was viewed  
3 as corrupt not just in Ukraine but by the U.S. Government  
4 FBI, and Zlochevsky almost certainly had paid a bribe to the  
5 PGO office Yarema team to have them close a case against  
6 Zlochevsky in December 2014 and issue a letter to that  
7 effect to Zlochevsky's lawyer and flipped it to a U.K. judge  
8 who unfroze assets that the FBI and MI5 had spent months  
9 trying to make a case for asset repatriation, the first and  
10 so far only possible case in an effort we collectively have  
11 spent hundreds of thousands of dollars."

12           Ambassador Brink, do you know what U.S. officials,  
13 including those in the FBI, viewed Zlochevsky as corrupt?

14           AMBASSADOR BRINK: I don't know.

15           MR. DOWNEY: Did you know that, according to George  
16 Kent, the FBI viewed Zlochevsky as corrupt?

17           AMBASSADOR BRINK: I mean, he put it in his email, but  
18 I don't know that independently.

19           MR. DOWNEY: So a couple minutes ago you mentioned that  
20 Mr. Kent might have raised issues about Hunter Biden being  
21 on Burisma's board in 2014. Is that tracking with this  
22 September 2016 email?

23           AMBASSADOR BRINK: No. I guess maybe--to clarify, I  
24 received this email in--I don't know what the date is on it.  
25 2016?

1 MR. DOWNEY: September 2016.

2 AMBASSADOR BRINK: 2016, referring to incidents in  
3 2014, including this issue around Burisma. This is the  
4 first I have seen of it at that time, 2016.

5 MR. DOWNEY: So what do you know about this alleged  
6 Zlochevsky bribe to the PGO?

7 AMBASSADOR BRINK: I only know what's here and what was  
8 in the speech by Ambassador Pyatt in September 2015 in  
9 Odessa.

10 MR. DOWNEY: So just to be clear, this is the first  
11 time you were made aware of the Zlochevsky bribe  
12 allegations?

13 AMBASSADOR BRINK: Well, I think I had--I can't  
14 remember if the speech exactly references a bribe. I don't  
15 think it does. So, yeah, this is probably the first time I  
16 was made aware of that or told that. But as you can see,  
17 it's parenthetically in a footnote, and I have never--was  
18 never approached by the FBI or anyone else that there was  
19 some specific issue that has a U.S. nexus with regard to  
20 Burisma or the owner of Burisma.

21 MR. DOWNEY: Do you know if George Kent or members of  
22 the Embassy Kyiv reported these allegations to the FBI?

23 AMBASSADOR BRINK: I don't know.

24 MR. DOWNEY: Also on page Bates number 346, George Kent  
25 wrote: "The presence of Hunter Biden on the Burisma board

1 was very awkward for all U.S. officials pushing an  
2 anticorruption agenda in Ukraine."

3 At that time in September 2016, Ambassador Brink, were  
4 you aware of State Department officials sharing this same  
5 concern?

6 AMBASSADOR BRINK: I was not aware, no.

7 MR. DOWNEY: Was the presence of Hunter Biden on  
8 Burisma's board, as George Kent described, "very awkward"  
9 for you and others who worked on Ukrainian issues?

10 AMBASSADOR BRINK: My understanding and based on this  
11 particular email was that this was not a current position.  
12 But I didn't know, I wouldn't know necessarily. So--

13 MR. DOWNEY: What wasn't a current position?

14 AMBASSADOR BRINK: His position on the board. Based on  
15 this email, I don't know--I did not know that he was  
16 currently on the board and had been on the board, nor would  
17 I know that because I just wouldn't know that in my position  
18 necessarily.

19 MR. DOWNEY: So when did you believe Hunter Biden  
20 served on Burisma's board?

21 AMBASSADOR BRINK: I can't remember at the time, and it  
22 wasn't until more recently, as all the articles came out,  
23 that I have seen what the time period was or at least how  
24 it's reported.

25 MR. DOWNEY: So when you received this September 2016

1 email from George Kent, if you knew Hunter Biden was on  
2 Burisma's board, would that have changed your reaction to  
3 what Mr. Kent was saying?

4 MR. MacDOUGALL: Objection, calls for speculation.  
5 I'll instruct the witness not to answer.

6 MR. DOWNEY: Ambassador Brink--

7 MR. FOLIO: If I can just interject, so, again, you're  
8 instructing the witness not to answer, and you've done this  
9 a couple times before, and it was fine. But here I just  
10 want to understand. So typically you would instruct the  
11 witness not to answer if the answer would call for the  
12 discussion of privileged information. So if she's able to  
13 answer something that's a fact question based upon what she  
14 saw or observed or what she would have done normally in her  
15 course of business, why are you instructing the witness not  
16 to answer?

17 MR. MacDOUGALL: The witness is a sitting Ambassador,  
18 as you know, Mr. Folio, and she's here voluntarily to answer  
19 questions that she can respond to based upon personal  
20 knowledge or personal experience. You continue to ask  
21 questions about what she might have done 4 or 5 years ago  
22 based on what she might have known then versus what she  
23 might know now. That's entirely inappropriate. It's  
24 outside the scope of what our understanding has been from  
25 the start as to what this interview would be.

1 MR. FOLIO: I appreciate your point about asking her to  
2 speculate now what she might have done then insofar as we  
3 ask questions of what--does she have a specific recollection  
4 or what her pattern and practice would have been at the  
5 time, if she's able to answer to that extent, we think that  
6 is more than appropriate, and we would ask that she answer  
7 those questions, and we will do our best to phrase our  
8 questions that way. And, again, I think that I want to be  
9 clear that you're instructing the witness not to answer and  
10 that should be based on privilege grounds, and there is no  
11 privilege asserted that she was refusing--or, I'm sorry,  
12 declining to answer and this is a voluntary interview. I  
13 just want the record to clearly reflect that.

14 MR. MacDOUGALL: Okay. Joe, your audio is very poor.  
15 Can you say that again?

16 MR. FOLIO: All I would say is that we can do a better  
17 job of asking the questions to be sure that we're not  
18 speculating, because I appreciate your point that you don't  
19 want to speculate now about what she might have thought  
20 then. That said, our questions about what she did are  
21 appropriate and also what her pattern and practice of what  
22 she would have done in that position, what she typically did  
23 in that position in that time we believe are appropriate as  
24 well. What I'm asking to do is insofar as you are  
25 instructing her not to answer, typically that is reserved

1 for an asserted privilege. I think here there's no  
2 privilege being asserted. I'd note your objection, and  
3 typically you would have to move forward and answer  
4 [inaudible] decline to answer because this is a voluntary  
5 interview, I would make that clear as opposed to an  
6 instruction not to answer because the answer would call for  
7 privileged information.

8 MR. MacDOUGALL: Well, you can phrase it any way you  
9 want. You began the interview by saying the Federal Rules  
10 of Civil Procedure don't apply, and because they don't  
11 apply, we can instruct the witness based upon our agreement  
12 from the start as to what this interview would involve, her  
13 current position, and what she's being asked to respond to  
14 as being entirely inappropriate. If Mr. Downey wants to  
15 rephrase his question and ask her about what she knows, what  
16 she experienced, what she saw, what she heard, that's  
17 perfectly fine. I haven't objected to any of that. But  
18 with regard to both the minority and the majority, where,  
19 you know, she has been asked questions about what would you  
20 have done or what do you think you would have thought, she's  
21 not going to answer that because those are entirely  
22 inappropriate. They wouldn't be allowed in a courtroom, and  
23 we're not going to allow them here.

24 MR. FOLIO: We will do that. We will rephrase it. We  
25 will endeavor to be better.

1 MR. DOWNEY: Okay. So going back to this exhibit, the  
2 September 6, 2016, email from George Kent to Ambassador  
3 Brink, Jorgan Andrews, and Marie Yovanovitch, after  
4 receiving this, Ambassador Brink, did you discuss this email  
5 with Mr. Kent?

6 AMBASSADOR BRINK: I don't think so. I know from  
7 what's been turned over to me that I responded to it.

8 MR. DOWNEY: Did you discuss this email with Marie  
9 Yovanovitch?

10 AMBASSADOR BRINK: Not that I recall.

11 MR. DOWNEY: And what was Marie Yovanovitch's position  
12 at the time in September of 2016?

13 AMBASSADOR BRINK: I think she must have been the  
14 Ambassador at that time.

15 MR. DOWNEY: And George Kent at that time was the DCM?

16 AMBASSADOR BRINK: Deputy. Deputy Chief of Mission,  
17 yeah.

18 MR. DOWNEY: So I think you told me earlier that you  
19 communicated with George Kent during your time as Deputy  
20 Assistant Secretary. Is that correct?

21 AMBASSADOR BRINK: Mm-hmm, and the Ambassador.

22 MR. DOWNEY: Would he normally put a lot of information  
23 in emails as evidenced in this September 6, 2016, email?

24 AMBASSADOR BRINK: Yes.

25 MR. DOWNEY: So to be clear, after receiving this

1 September 6, 2016, email from Mr. Kent, you responded to his  
2 email, but you did not discuss it with Marie Yovanovitch or  
3 Jorgan Andrews?

4       AMBASSADOR BRINK: No. The purpose of his email was to  
5 give us a heads up that Lutsenko was trying to come to  
6 Washington, that Blue Star Strategies was acting on  
7 Lutsenko's behalf to try to set up meetings, but was  
8 frustrated and upset for reasons I'm not sure I understand,  
9 and to just let us know. And so my--I know my response on  
10 this was that government-to-government meetings should be  
11 set up by the Embassy of Ukraine, and, of course, it's up to  
12 the Ukrainians if they have meetings outside of government,  
13 and those can be set up in ways where we can be helpful or  
14 they can set them up through their paid lobbyists if they  
15 wish.

16       MR. DOWNEY: So just to be clear, regarding the  
17 allegations that Zlochevsky bribed members of former  
18 Prosecutor General Yarema's team, during your time as Deputy  
19 Assistant Secretary at the State Department you did not have  
20 any discussions with the Department of Justice or FBI  
21 officials about those specific allegations?

22       AMBASSADOR BRINK: Correct, not that I recall. It was  
23 from 2014, which was before I became Deputy Assistant  
24 Secretary.

25       MR. DOWNEY: Understood. We're going to go to--this

1 will be Exhibit 6. It's Tab 12, Will.

2 [Brink Exhibit No. 6 was  
3 marked for identification.]

4 MR. DOWNEY: This is Bates number 860 to 863. It's a  
5 State Department document.

6 So on October 4, 2016, George Kent sent an email to  
7 Ambassador Yovanovitch and to you with the subject line:  
8 "Leshchenko claims Blue Star's SP went after him spreading  
9 black PR ahead of his Washington meetings. Ambassador  
10 Brink, you responded to Mr. Kent's email saying,  
11 "Interesting. Thanks."

12 Who was Leshchenko?

13 AMBASSADOR BRINK: Leshchenko was an investigative  
14 journalist and a member of parliament.

15 MR. DOWNEY: So what was interesting about Mr. Kent's  
16 October 2016 email?

17 AMBASSADOR BRINK: I guess all the inside baseball.

18 MR. DOWNEY: And what was that inside baseball?

19 AMBASSADOR BRINK: Well, his claim that Blue Star was  
20 trying to undermine him prior to his visit to Washington.

21 MR. DOWNEY: And do you understand from Mr. Kent's  
22 email why Blue Star was allegedly trying to undermine  
23 Leshchenko?

24 AMBASSADOR BRINK: No, I don't know exactly why.

25 MR. DOWNEY: At the time of October 2016, do you know

1 why Mr. Kent was updating you and Ambassador Yovanovitch  
2 about the situation?

3 AMBASSADOR BRINK: I don't know why, no.

4 MR. DOWNEY: Did you do anything more based off this  
5 email from Mr. Kent?

6 AMBASSADOR BRINK: Not that I recall.

7 MR. DOWNEY: Just a minute.

8 [Pause.]

9 MR. DOWNEY: Ambassador Brink, I believe we are done  
10 with our questioning. I wanted to see where the Minority  
11 was at--

12 AMBASSADOR BRINK: Thank you.

13 MR. DOWNEY: --as we get closer to one o'clock.

14 MR. SCHRAM: We have just a few more questions.

15 Brian, when you say you're done with your questioning,  
16 do you mean for the round or for the day?

17 MR. DOWNEY: I will consult with Chairman Grassley's  
18 staff, but I believe we're pretty close being done for this  
19 session.

20 MR. SCHRAM: Okay, great.

21 MR. DOWNEY: So go ahead.

22 MR. SCHRAM: Ambassador Brink, would you like a short  
23 break?

24 AMBASSADOR BRINK: I think we can--I can keep going.  
25 It's okay.

1 MR. SCHRAM: Okay. I won't take much of your time.

2 Ambassador Brink, as you said in the hearing on your  
3 nomination to be Ambassador to Slovak Republic before the  
4 Senate Foreign Relations Committee last year and to a  
5 certain extent repeated in your opening statement today,  
6 you've worked closely with our NATO allies and EU partners  
7 to advance U.S. interests in Europe throughout your career,  
8 from Belgrade during the Balkan wars, to supporting reform  
9 in Georgia, to your role as a policymaker in Washington  
10 during Russia's attempts to redraw the borders of Europe.

11 AMBASSADOR BRINK: Yes.

12 MR. SCHRAM: Can you talk a bit about the threat that  
13 Russia poses to European democracies generally and to  
14 Ukraine specifically?

15 AMBASSADOR BRINK: Sure. Well, in my experience,  
16 Russia poses an enormous threat to democracy in general, and  
17 Russia uses specific tools like disinformation, outward  
18 aggression, covert active measures, among other things, to  
19 try to undermine democracies and so divisiveness within more  
20 established democracies and also in newer democracies. And  
21 so I have seen this in many places in the region, and it's a  
22 big threat. It's a big threat to our NATO allies. It's  
23 obviously a threat to us as well. It's a big threat to  
24 those countries that became independent at the time that the  
25 Soviet Union collapsed and are trying very hard in many

1 cases to become stronger democracies.

2 MR. SCHRAM: You mentioned disinformation and covert  
3 active measures. Can you expand on what you mean by those  
4 two categories?

5 AMBASSADOR BRINK: Well, in disinformation, there are  
6 many ways to do this, but obviously, you can have actors  
7 that are using social media and other platforms to take  
8 false information or partial information or very sensitive  
9 and explosive information and try to use it to divide  
10 populations. And we have--I know we have seen this happen  
11 across Europe in America and in places where Russia and  
12 others are active.

13 So disinformation, it's very challenging because it's  
14 not based in fact, and it is corrosive to democracies which  
15 require also some confidence by the public that governments  
16 are operating in a way which is representative of their  
17 interests.

18 And on active measures and other actions, there are  
19 clear examples. I think the latest is the opposition  
20 figure, Navalny, and this attempted, alleged attempted  
21 poisoning, but there are many other examples of active  
22 measures that are also very--well, they're against the rule  
23 of law. In some cases, they're happening outside of the  
24 territorial boundaries of the country, and they  
25 fundamentally undermine the security and the stability and

1 the strength of Europe.

2 And this is a very big deal for us as the NATO  
3 alliance. The bond between the United States and the  
4 members of NATO is absolutely critical to our own security,  
5 and with those countries--or countries in which we are  
6 partnering, have decided to choose their own future, are  
7 being threatened. It's also a threat to us.

8 MR. SCHRAM: Speaking of disinformation, are you  
9 familiar with the September 10th statement of the Department  
10 of Treasury entitled Treasury Sanctions Russia-Linked  
11 Election Interference Efforts?

12 AMBASSADOR BRINK: Sorry. Can you repeat which one,  
13 what that is, the September--

14 MR. SCHRAM: September 10th announcement of the  
15 Department of Treasury, Treasury Sanctions Russia-Linked  
16 Election Interference Actors.

17 AMBASSADOR BRINK: Oh, yes. I am familiar with that,  
18 yes. That was big news.

19 MR. SCHRAM: Is this an example of what you refer to as  
20 the disinformation efforts that Russia pursue with respect  
21 to Europe and our role in Europe?

22 AMBASSADOR BRINK: I don't know the rationale behind  
23 the specific sanctioning, but in a general sense, yes.

24 MR. SCHRAM: The Treasury Department press release  
25 states from at least late 2019 through mid-2020, Derkach

1 waged a covert influence campaign centered on cultivating  
2 false and unsubstantiated narratives concerning U.S.  
3 officials in the upcoming 2020 presidential election,  
4 spurring corruption investigations in both Ukraine and the  
5 United States, designed to culminate prior to election day.  
6 Derkach's unsubstantiated narratives were pushed in western  
7 media through coverage of press conferences and other news  
8 events, including interviews and statements.

9       Is that consistent with the practices you've just  
10 described?

11       AMBASSADOR BRINK: In general, yes.

12       MR. SCHRAM: In what ways does Russia use proxies in  
13 Ukraine to advance its disinformation efforts?

14       AMBASSADOR BRINK: I can't speak to exactly the methods  
15 in which are used to spread the disinformation, but it's  
16 very common to use proxies and to--well, use whatever works,  
17 whatever is going to put this information into the system  
18 and be disruptive, rather than rely on fact.

19       MR. SCHRAM: Ambassador Brink, are you familiar with  
20 Prime Minister Arseniy Yatsenyuk?

21       AMBASSADOR BRINK: Yes.

22       MR. SCHRAM: Who is he?

23       AMBASSADOR BRINK: He's a former prime minister of  
24 Ukraine.

25       MR. SCHRAM: Is he regarded as pro-western?



1 unite democracies around the world and those forces that  
2 seek to turn the political developments in our country into  
3 a toxic narrative, so discord among our partners. We oppose  
4 the dishonest attempts to use the political controversies in  
5 the United States. We do not choose any side but support  
6 each of them in the same way that they together help  
7 Ukraine's independence. We call on America's leaders to  
8 distinguish between the position of our nation from the  
9 actions politicians instigated by Moscow.

10 This letter, at the top, you'll see it says it's from  
11 the Kyiv Security Forum.

12 AMBASSADOR BRINK: Mm-hmm.

13 MR. SCHRAM: Are you familiar with that organization?

14 AMBASSADOR BRINK: I am not.

15 MR. SCHRAM: Can you speak to the importance of  
16 bipartisan support in the United States for Ukraine?

17 MR. MacDOUGALL: Mr. Schram, just to be clear, you've  
18 just read in large part from evidently a statement from a  
19 group of private academics and individuals in Ukraine. Are  
20 you now leaving that document and asking Ambassador Brink to  
21 speak generally unrelated to this document about U.S.-  
22 Ukrainian relations?

23 MR. SCHRAM: I'm asking her to speak generally about  
24 U.S.-Ukrainian relations. To the extent this statement is  
25 at all relevant to her opinion, I'd be interested to know

1 that as well.

2 MR. MacDOUGALL: Okay. Again, just as I did with the  
3 Majority, I'm instructing the witness not to opine as to  
4 what happens to be in this memorandum.

5 If you want to restate your question, direct it toward  
6 her view of how U.S.-Ukrainian relations are managed or  
7 anything in that realm, I think that's an appropriate  
8 question.

9 MR. SCHRAM: I believe my question was, Can you speak  
10 to the importance of bipartisan support for Ukraine?

11 AMBASSADOR BRINK: Sure. I want to caveat that I don't  
12 work on Ukraine right now. So I might just expand this  
13 answer a little more broadly.

14 It's my experience and my judgment that bipartisan  
15 support on any of our big policy initiatives and especially  
16 where a lot of U.S. assistance is going is incredibly  
17 helpful to achieving our policy goals. So whether that is  
18 China, Russia, North Korea, Middle East, or in Europe,  
19 Ukraine, it is very helpful.

20 That doesn't mean that there has to be blind agreement  
21 on everything, but it does mean that in the general sense of  
22 what we're trying to do in this case, in Ukraine's case,  
23 when I was the Deputy Assistant Secretary, to help this  
24 country fight back against changes in border by force and  
25 also to break a legacy of corruption and government

1 mismanagement that had impoverished a country that is very  
2 rich in many things. And to give these people of this  
3 country an actual chance and for the United States to have a  
4 very strong partner in this region, a trading partner, a  
5 business partner, a security partner is actually in our  
6 benefit and also important to have this bipartisan, in  
7 general, support.

8       We don't always have that. I know that, obviously, but  
9 if it's possible, it is helpful to achieving our goals.

10       MR. SCHRAM: You spoke about the corrosive impact of  
11 disinformation on democracies. What has been your  
12 experience with respect to effective ways to address  
13 disinformation about America's role in the world and  
14 specifically in the regions that you've worked in?

15       AMBASSADOR BRINK: Well, I think there are a couple of  
16 ways. One is we have to try to get fact out fast, and we're  
17 not always so fast at doing that. But we have to be living  
18 and dealing in fact and to be as reactive as we possibly can  
19 to correct the facts when they're wrong.

20       The second thing and the one that I actually enjoy even  
21 more is I think we have to play to our strength, and our  
22 strength is who we are and the fact that we are for  
23 something. And always being for something and trying to  
24 build something is much harder than trying to destroy it,  
25 and we are for this. We are for freedom. We are for

1 democracy. We are for rule of law, and we are for human  
2 rights. That is what we have always been for. It's still  
3 what we're for, and we need to use the strength and the  
4 power that we have to play on our playing field. That's my  
5 view.

6 MR. SCHRAM: With respect to dealing with fact and  
7 correcting facts, returning again to my first question,  
8 substantive question in this interview, are you aware of any  
9 evidence of wrongdoing or illegal activity by Vice President  
10 Biden related to Hunter Biden's position on Burisma's board?

11 AMBASSADOR BRINK: I'm sorry. Can you repeat that one  
12 more time?

13 MR. SCHRAM: Are you aware of any evidence of  
14 wrongdoing or illegal activity by Vice President Biden  
15 related to Hunter Biden's position on Burisma's board?

16 AMBASSADOR BRINK: No.

17 MR. SCHRAM: Ambassador Brink, from one Michigander to  
18 another and on behalf of a junior Senator from Michigan,  
19 we're proud of your accomplishments, appreciative of your  
20 time, and grateful for your sacrifice.

21 I just have one more question. The State Department  
22 offered to answer our questions via written interrogatories  
23 in lieu of this interview; is that correct?

24 AMBASSADOR BRINK: Yes.

25 MR. SCHRAM: But the committee declined to accept that

1 offer.

2       AMBASSADOR BRINK: That's my understanding.

3       MR. SCHRAM: Thank you again for your time.

4       AMBASSADOR BRINK: Thank you.

5       MR. DOWNEY: Ambassador Brink, we just have two or  
6 three more quick questions, and we can wrap it up by one.

7       AMBASSADOR BRINK: Okay.

8       MR. DOWNEY: Did you know Blue Star Strategies' CEO,  
9 Karen Tramontano?

10       AMBASSADOR BRINK: No.

11       MR. DOWNEY: Did you know Blue Star Strategies' Chief  
12 Operating Officer, Sally Painter?

13       AMBASSADOR BRINK: No. I don't think I have ever met  
14 them, or if I have, it's been incidental. I don't have any  
15 recollection of having met either of them.

16       MR. DOWNEY: Did you ever take meetings with members of  
17 Blue Star Strategies?

18       AMBASSADOR BRINK: Not that I recall.

19       MR. DOWNEY: And then finally, regarding--you were  
20 Deputy Assistant Secretary of the European Bureau. Did you  
21 interact with Elisabeth Zentos of the National Security  
22 Council?

23       AMBASSADOR BRINK: Yes.

24       MR. DOWNEY: Avril Haines?

25       AMBASSADOR BRINK: Yes, less frequently. She was the

1 deputy.

2 MR. DOWNEY: Eric Ciaramella?

3 AMBASSADOR BRINK: Yes.

4 MR. DOWNEY: And you interacted with Ms. Zentos and Mr.  
5 Ciaramella on Ukraine policy?

6 AMBASSADOR BRINK: Yes.

7 MR. DOWNEY: And how often did you interact with them?

8 AMBASSADOR BRINK: It would depend. I mean, regularly,  
9 they were a part of the policy process, but it would just  
10 depend on the issue of the day.

11 MR. DOWNEY: Did Ms. Zentos or Mr. Ciaramella discuss  
12 the Ukraine loan guarantees with you?

13 AMBASSADOR BRINK: Not that I recall. I don't recall.

14 MR. DOWNEY: What did you discuss with them regarding  
15 Ukraine?

16 AMBASSADOR BRINK: Well, a whole range of how we were--  
17 I guess I go back to this dual policy approach of trying to  
18 help secure Ukraine, support its independence, push back on  
19 Russian aggression and attempted annexation, and then also  
20 on reforms. So, I mean, it was a very big basket of policy  
21 issues.

22 MR. DOWNEY: Does that include anticorruption measures?

23 AMBASSADOR BRINK: Yes.

24 MR. DOWNEY: Did you discuss the prosecutor general's  
25 office with Mr. Ciaramella and Ms. Zentos?

1           AMBASSADOR BRINK: I just don't recall.

2           MR. DOWNEY: Would it--

3           AMBASSADOR BRINK: I guess, Mr. Downey, I just go back  
4 to our whole point wasn't about people. It was about how to  
5 push the prosecutor general's office to be effective, and it  
6 was not. Neither Shokin nor his successor prosecuted any  
7 prominent individuals from the previous regime or the  
8 current, at that time, regime.

9           MR. DOWNEY: So the policy failed?

10          AMBASSADOR BRINK: I don't know if it failed, but we  
11 did everything we could to try to change the prosecutor  
12 general's office into something that was an effective  
13 fighter of corruption.

14          MR. DOWNEY: But it didn't turn into that?

15          AMBASSADOR BRINK: I don't know what the situation is  
16 today, and as I said at the beginning, our efforts sometimes  
17 from the United States government are not immediate, and it  
18 takes time and energy and commitment over a long time. The  
19 prosecutor general's office has been corrupted in Ukraine  
20 for a very long time, and it's going to take a very long  
21 time to fix it.

22          MR. DOWNEY: To round this out, did you discuss the  
23 loan guarantees to Ukraine or the prosecutor general's  
24 office with Secretary Kerry?

25          AMBASSADOR BRINK: No.

1 MR. DOWNEY: With Antony Blinken?

2 AMBASSADOR BRINK: Not that I recall.

3 MR. DOWNEY: Amos Hochstein?

4 AMBASSADOR BRINK: No.

5 MR. DOWNEY: Catherine Novelli?

6 AMBASSADOR BRINK: No.

7 MR. DOWNEY: And George Kent?

8 AMBASSADOR BRINK: I don't recall.

9 MR. DOWNEY: Okay. We checked with Chairman Grassley's  
10 office. They are all set with their questioning.

11 So we thank you very much, Ambassador Brink, for your  
12 time and your service to our country.

13 AMBASSADOR BRINK: Thank you.

14 MR. DOWNEY: And as Mr. Folio mentioned in the  
15 beginning, as soon as the transcript is ready, you and your  
16 attorney, Mr. MacDougall, will have the opportunity to  
17 review it.

18 AMBASSADOR BRINK: Thank you.

19 MR. MacDOUGALL: And, Mr. Downey, will the transcript  
20 be made available electronically, or do we have to come in  
21 and physically look at a printed transcript?

22 MR. DOWNEY: It will be provided electronically.

23 MR. MacDOUGALL: Okay.

24 MR. DOWNEY: So we'll get that over--

25 AMBASSADOR BRINK: Can I just--

1 MR. DOWNEY: Go ahead.

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED]

2 [REDACTED] [REDACTED]

3 [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED]

6 [REDACTED] [REDACTED] [REDACTED] [REDACTED]

7 [REDACTED] [REDACTED]

8 MR. FOLIO: I just want to thank Ambassador Brink for  
9 her time.

10 AMBASSADOR BRINK: Thank you.

11 If I can just say thank you to you all. I have worked  
12 a long time with congressional members and also with staff,  
13 and I understand the important role that you play and  
14 respect that, obviously. So thank you for the time, and  
15 thank you for all of your questions.

16 MR. MacDOUGALL: Ambassador Brink, if I could ask you  
17 one question. It's a little after 7:00 p.m. there in  
18 Bratislava?

19 AMBASSADOR BRINK: Yep.

20 MR. MacDOUGALL: I'm just looking at the castle over  
21 your left shoulder. How come the sun stays up so late  
22 there? I mean, like, it gets dark here, you know.

23 AMBASSADOR BRINK: My security requires I mask my  
24 actual location.

25 MR. MacDOUGALL: Oh, okay.

1           AMBASSADOR BRINK:  Everyone knows where I am.  So this  
2 is Slovakia.

3           MR. MacDOUGALL:  I was going to--

4           AMBASSADOR BRINK:  So at another time, maybe I will see  
5 you all here.  I keep trying to--

6           MR. MacDOUGALL:  I'm going to go there for a fall  
7 vacation, yeah.

8           AMBASSADOR BRINK:  Come to Slovakia.

9           MR. MacDOUGALL:  Sun never goes down.

10          AMBASSADOR BRINK:  It's easier to get than into  
11 Ukraine.

12          MR. MacDOUGALL:  Okay.  Are we dismissed?

13          MR. FOLIO:  Dismissed.  Thank you, everyone.

14          MR. MacDOUGALL:  All right.  Thank you.

15          MR. SCHRAM:  Thanks so much.

16          MR. MacDOUGALL:  Bye-bye.

17          AMBASSADOR BRINK:  Thank you.  Thank you.

18          [Whereupon, at 1:03 p.m., the interview was concluded.]

19

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22

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25



**Agenda for Examination of the US Adversarial Criminal Justice System for senior-level Ukrainian prosecutors**  
**January 18 – January 23, 2016**  
**Washington, DC**

---

**Points of Contact:**

Catherine Newcombe: (202) 436 6885 catherine.newcombe@usdoj.gov

Rob Hurtekant: (214) 458 7707 rob.hurtekant@usdoj.gov

**Monday, January 18, 2016**

Delegation Arrives in Washington, D.C.

Airport transfer to: **JW Marriot**, 1331 Pennsylvania Ave N. W. Washington, DC 20004

**Tuesday, January 19, 2016**

- 9:45 Meeting in the hotel to discuss the program
- 10:10 Depart hotel
- 11:00 – 12:00 **Meeting with Eric Ciaramella, Elizabeth Zentos and others TBD, National Security Council - Confirmed**  
*Location:* 1600 Pennsylvania Ave NW  
*POCs:* Eric Ciaramella – (202) 456-9106  
 Elizabeth Zentos – (202) 456-9158
- 13:00 – 14:00 **Meeting with Kenneth Blanco, Deputy Assistant Attorney General and Bruce Swartz, Counsel to the Attorney General for International Affairs, U. S. Department of Justice - Confirmed**  
*Location:* 950 Pennsylvania Avenue NW, Suite 4706  
*POC:* Denise Turcotte (202) 616-9318  
 (202) 314- 2333
- 15:00 – 16:00 **Meeting with FBI – TBC**  
*Location:* TBC
- 16:00 – 17:00 **Meeting with OPDAT/DOJ - Confirmed**  
*Location:* 1331 F Street NW, Room 745  
*POC:* Rob Hurtekant: (214) 458 7707

**Wednesday, January 20, 2015**

- 10:00 Depart hotel
- 10:30 – 12:00 **Meeting with Michael E. Horowitz, Inspector General of US Department of Justice and Robert Storch, Deputy Inspector General of US Department of Justice – Confirmed**

*Location:* 1425 New York Avenue, NW

Point of Contact: Rob Storch, (202) 532-6980, [robert.p.storch@usdoj.gov](mailto:robert.p.storch@usdoj.gov)

Point of Contact: Pat Brantley, (202) 514-3435 (receptionist)

12:15 – 13:15

**Lunch**

14:00 – 15:00

**Meeting with Raymond Hulser, Chief of the Public Integrity Section, US Department of Justice – Confirmed**

*Location:* 1400 New York Ave. NW, 12<sup>th</sup> Floor

Point of Contact: Peter Koski, tel. 202 524 1412

15:30 – 16:30

**Operational meeting with FBI – Confirmed**

*Location:* 1400 New York Ave. NW, 9<sup>th</sup> Floor

*POC:* Mary Butler – (202) 598- 6711  
(202) 538-0394

**Thursday, January 21, 2015**

08:45

Depart hotel

09:45 – 10:45

**Meeting with James A. Walsh, Deputy Assistant Secretary of State - Confirmed**

*Location:* 2201 C St NW

*POC:* Adriana Cosgriff - (202)647-0777

11:00 – 11:45

**Meeting with Bridget A. Brink Deputy Assistant Secretary of State - Confirmed**

*Location:* 2201 C St NW

*POC:* Jamie Gusack - (202 )647-4117

12:00 – 13:00

**Lunch**

13:00 – 14:00

**Meeting with Jonathan Katz, Deputy Assistant Administrator for the Bureau for Europe and Eurasia, USAID and Tomas Melia, Assistant Administrator of the United States Agency for International Development - Confirmed**

*Location:* 301 4<sup>th</sup> Street, SW (Federal Center Bldg), room 247-SA-44, Washington, DC 20004

*POC:* Michelle Sadler - (202)567-4005

15:00 – 16:00

**Meeting with Mary Rodriguez, Chief of Office of International Affairs and Jason Carter, Associate Director of Office of International Affairs, US Department of Justice - Confirmed**

*Location:* 1301 New York Ave. NW. Washington D.C 20530

*POC:* Jason Carter tel. (202)514 -0000

**Friday, January 22, 2015**

**Check out from the hotel**

001757

13:50-14:05

**Depart for airport**

15:00

**AIRPORT DROP OFF: *TBC***

# BEGINNING OF NEW RECORD

---

**From:** Ciaramella, Eric <eric\_a\_ciaramella@nsc.eop.gov>  
**Sent:** Monday, January 18, 2016 3:24 PM  
**To:** gusackje@state.gov  
**Cc:** Zentos, Elisabeth; kasanofa@state.gov; montgomerymc@state.gov; Zentos, Elisabeth  
**Subject:** Re: Upcoming meeting with Ukraine anticorruption delegation

Thanks, Jamie! Will definitely provide a readout after the mtg to help inform Bridget's mtg later in the week.

---

**From:** Gusack, Jamie E [mailto:GusackJE@state.gov]  
**Sent:** Monday, January 18, 2016 03:14 PM  
**To:** Ciaramella, Eric  
**Cc:** Zentos, Elisabeth; Kasanof, Alexander <KasanofA@state.gov>; Montgomery, Molly C <MontgomeryMC@state.gov>  
**Subject:** RE: Upcoming meeting with Ukraine anticorruption delegation

Eric,

Sorry for the delay. I don't have a full BCL to share (just starting on it now) but can give you an outline of topics I plan to include (see below). Adding Sahsa and Molly here in case they have anything to add to my suggested agenda. Let me know if I'm missing anything from your perspective.

If you could give us a brief readout after your meeting tomorrow/let us know if you'd like us to follow up on anything specific on Thursday, that would be great. We're happy to reinforce any points that need to be driven home.

Best,  
Jamie

- Note the importance of appointing a new PG, reiterating that Shokin is an obstacle to reform.
- Discuss the "diamond prosecutors" case, check on progress of the case, underscore the importance of putting corrupt high-level officials in jail.
- Ask the del what high-level cases are on the docket for prosecution. Note that we're expecting big steps in the near future.
- Be prepared for a long list of asks. (Looking for updated numbers from ACE and INL on much money is already set aside and for what.)
- An "if time permits" point for Sakvarelidze regarding reining in Saakashvili.
- Ask about implementation of new legislation. How is the new IG in the PGO shaping up? Where does the NABU stand, etc.

SBU  
This email is UNCLASSIFIED.

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**From:** Gusack, Jamie E  
**Sent:** Sunday, January 17, 2016 11:08 PM  
**To:** Ciaramella, Eric A (nsc.eop.gov)  
**Cc:** Zentos, Elisabeth (nsc.eop)  
**Subject:** Re: Upcoming meeting with Ukraine anticorruption delegation

I'll be in the office writing this BCL tomorrow. Will send a draft/bootleg version when I have something to share.

---

**From:** Ciaramella, Eric  
**Sent:** Sunday, January 17, 2016 1:44 PM  
**To:** Gusack, Jamie E  
**Cc:** Zentos, Elisabeth (nsc.eop)  
**Subject:** RE: Upcoming meeting with Ukraine anticorruption delegation

Thanks, Jamie!

---

**From:** Gusack, Jamie E [<http://redirect.state.sbu/?url=mailto:GusackJE@state.gov>]  
**Sent:** Friday, January 15, 2016 3:32 PM  
**To:** Ciaramella, Eric  
**Cc:** Zentos, Elisabeth  
**Subject:** RE: Upcoming meeting with Ukraine anticorruption delegation

Eric,

I'd be happy to share Bridget's BCL, but haven't written it yet (since the meeting isn't until Thursday). I was planning to draft it today, but that prospect is becoming less and less likely with all the work that is piling up. I may just come in on Monday to work on it.

I'll try work up an outline/send it your way later today if time permits.

Thanks,  
Jamie

This email is UNCLASSIFIED.

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**From:** Ciaramella, Eric [[http://redirect.state.sbu/?url=mailto:Eric\\_A\\_Ciaramella@nsc.eop.gov](http://redirect.state.sbu/?url=mailto:Eric_A_Ciaramella@nsc.eop.gov)]  
**Sent:** Friday, January 15, 2016 3:16 PM  
**To:** Gusack, Jamie E  
**Cc:** Zentos, Elisabeth (nsc.eop)  
**Subject:** RE: Upcoming meeting with Ukraine anticorruption delegation

Jamie – Thanks, this is extremely helpful! I was wondering whether you happen to have a draft of the BCL for Bridget's meeting, and whether you might be willing to share it informally with us before Tuesday. We have some ideas for what we'd like to raise with the group, but it's always good to check in on top lines and make sure we're all saying the same thing.

Thank you!!  
Eric

---

**From:** Gusack, Jamie E  
[<http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:GusackJE@state.gov>]  
**Sent:** Thursday, January 14, 2016 8:01 PM  
**To:** Ciaramella, Eric; EUR-Ukraine Desk-DL  
**Cc:** Zentos, Elisabeth  
**Subject:** RE: Upcoming meeting with Ukraine anticorruption delegation

Eric,

Thanks very much for the invitation. DAS Brink will meet with the delegation on Thursday. Attached are the final agenda for the visit and the bios of the participants so you have full visibility.

On the question of background info on how the various anticorruption agencies/authorities fit together, I don't have anything at the ready, but will check with EUR/ACE tomorrow. I agree that this would be extremely helpful and we'll look to put something together if it doesn't already exist.

Thanks again and let me know if you have any further questions or if you'd like us to follow up on any outstanding issues that may come up in your meeting on Tuesday.

Best,  
Jamie

SBU  
This email is UNCLASSIFIED.

---

**From:** Ciaramella, Eric  
[[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:Eric\\_A\\_Ciaramella@nsc.eop.gov](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:Eric_A_Ciaramella@nsc.eop.gov)]  
**Sent:** Thursday, January 14, 2016 7:35 PM  
**To:** EUR-Ukraine Desk-DL  
**Cc:** Zentos, Elisabeth (nsc.eop)  
**Subject:** Upcoming meeting with Ukraine anticorruption delegation

Desk colleagues –

We'll be hosting Deputy PG Sakvarelidze, NABU chief Sytnyk, and AC prosecutor Kholodnytsky here on Tuesday 1/19 at 11:00. Are you having meetings with them at State? If not, would anyone from the desk like to attend our meeting?

In addition, I was wondering whether you have any off-the-shelf background info on how the various anticorruption agencies/authorities fit together (no need to create this if it doesn't exist), and whether there are any particular points that you or Post would like us to raise with the group.

Thank you!  
Eric

Eric Ciaramella  
Director for Baltic and Eastern European Affairs  
National Security Council | The White House

001910

(202) 456-9106

THE LONG RUN

## What Joe Biden Actually Did in Ukraine

By Glenn Thrush and Kenneth P. Vogel

Published Nov. 10, 2019 Updated March 6, 2020

When Russia invaded Ukraine in early 2014, Vice President Joseph R. Biden Jr. pressed President Barack Obama to take decisive action, and fast, to make Moscow “pay in blood and money” for its aggression. The president, a Biden aide recalled, was having none of it.

Mr. Biden worked Mr. Obama during their weekly private lunches, imploring him to increase lethal aid, backing a push to ship FGM-148 Javelin anti-tank missiles to Kiev. The president flatly rejected the idea and dispatched him to the region as an emissary, cautioning him “about not overpromising to the Ukrainian government,” Mr. Biden would later write in a memoir.

*[Trump, Ukraine and impeachment: The inside story of how we got here.]*

So, Mr. Biden threw himself into what seemed like standard-issue vice-presidential stuff: prodding Ukraine’s leaders to tackle the rampant corruption that made their country a risky bet for international lenders — and pushing reform of Ukraine’s cronyism-ridden energy industry.

“You have to be whiter than snow, or the whole world will abandon you,” Mr. Biden told the country’s newly elected president, Petro O. Poroshenko, during an early 2014 phone call, according to former administration officials.

That message was delivered just as Mr. Biden’s son Hunter joined the board of a Ukrainian gas company that was the subject of multiple corruption investigations, a position that paid him as much as \$50,000 a month and — in the view of some administration officials, including the ambassador to Kiev — threatened to undermine Mr. Biden’s agenda.

Thanks to President Trump and his lawyer Rudolph W. Giuliani, that subplot has now swallowed the story line. Their efforts to press Ukrainian officials to investigate unsubstantiated charges against the Bidens have propelled Mr. Trump to the brink of impeachment. They have also put Mr. Biden on the defensive at a critical moment in the Democratic presidential primary campaign. As the impeachment hearings go public this week, the Republicans are hoping to redirect the spotlight onto the Bidens.

A look at what the former vice president actually did in Ukraine (he visited six times and spent hours on the phone with the country’s leaders) tells a different story, according to interviews with more than two dozen people knowledgeable about the situation. It casts light on one of Mr. Biden’s central arguments for himself in the primary: his eight years of diplomacy as Mr. Obama’s No. 2.

Mr. Biden dived into Ukraine in hopes of burnishing his statesman credentials at a time when he seemed to be winding down his political career, as his elder son, Beau, was dying and his younger one, Hunter, was struggling with addiction and financial problems. It turned out to be an unforgiving landscape — threatened by Russia, plundered by oligarchs, plagued by indecisive leaders and overrun by outsiders hoping to make a quick buck off the chaos.

Writing in his 2017 memoir, Mr. Biden said Ukraine gave him a chance to fulfill a childhood promise to make a difference in the world. It also came to serve a political purpose, as “a legacy project, something he could run on,” said Keith Darden, an associate professor at American University who studies Ukraine policy.



George P. Kent, right, the deputy assistant secretary of state for European and Eurasian Affairs, told impeachment investigators that he had raised concerns about Hunter Biden in 2015. Erin Schaff/The New York Times

In the end, it was an unglamorous holding action, but one that suited Mr. Biden's Mr. Fix-It approach to the vice presidency — and his view of Ukraine as the front line in a larger battle to contain the Russian president, Vladimir V. Putin.

“People forget it now, but at that time period, 2014 and 2015, it wasn't clear Ukraine would survive,” Mr. Darden said. “They were teetering on the brink of bankruptcy. They had only 8,000 battle-ready troops.”

A key to Mr. Biden's relevance as vice president was his willingness to take jobs nobody else wanted. In early 2014, as others on Mr. Obama's team raced to finish big-splash deals with Cuba and Iran, Mr. Biden told the president he wanted to take on three of the most unappetizing foreign-policy tasks left undone: containing the Islamic State, curbing immigration from Central America and keeping Russia from devouring Ukraine.

Mr. Biden had deep contacts in Europe, and as a senator in the 1990s had had some success persuading President Bill Clinton to take action in the Balkans. He considered himself to be among the few people in Mr. Obama's orbit who understood Europe and were willing to challenge Mr. Putin — a counter to the national security adviser, Susan E. Rice, who repeatedly warned the president against escalating a conflict with Russia that the United States could not win.

Yet on Ukraine, as elsewhere, Mr. Biden was less an architect of policy than the empowered executor of Mr. Obama's policy.

“He was the vice president, not the president,” said Senator Jeanne Shaheen, Democrat of New Hampshire, part of a bipartisan group of lawmakers allied with Mr. Biden who pressured Mr. Obama to help Ukraine's military.

Indeed, the drive to provide lethal aid to Kiev was a group effort, pushed by senators and two powerful State Department officials: Geoffrey R. Pyatt, who was the ambassador in Kiev, and Victoria J. Nuland, then the hawkish assistant secretary for European and Eurasian affairs.

Ms. Nuland was overheard telling Mr. Pyatt they needed Mr. Biden “for an attaboy” to encourage Ukrainian leaders to fulfill their promises, during a 2013 phone conversation about Ukraine, bugged and released to the media.

## **Bribes, Shakedowns and ‘Sweetheart Deals’**

Mr. Biden applied his Amtrak charm to local players like Ukraine's embattled president, Viktor Yanukovich, with limited effect. Former White House aides recall watching an agitated Mr. Biden ducking in and out of a secure phone booth outside the situation room in early 2014, trying to reach Mr. Yanukovich on his cellphone.

“Where the hell is this guy?” he kept asking, before learning that Mr. Yanukovich had fled Kiev, ultimately for Russia, as huge street protests erupted against his regime's corruption and his pivot away from Europe and toward Moscow.



Pro-Russian forces in Crimea in March 2014. Sergey Ponomarev for The New York Times

Mr. Putin then rushed in, annexing Crimea and backing paramilitaries who invaded the country's east. While Mr. Biden's pitch for missiles was rebuffed, he eventually helped sell Mr. Obama on sending about 100 American service members to train Ukraine's security forces.

Things seemed to be looking up in May 2014 with the election of Mr. Poroshenko, an oligarch who billed himself as a reformer. At first, the vice president's hard-edged messages to him on corruption were coated with kibbitz — demands accompanied by Bidenesque inquiries like whether the puffy-eyed president was getting enough sleep, aides recalled.

Within months, though, the State Department began suspecting that the office of Mr. Poroshenko's first prosecutor general was accepting bribes to protect Mykola Zlochevsky, the oligarch owner of Burisma Holdings, the gas company where Hunter Biden was a board member. In a February 2015 meeting in Kiev with a deputy prosecutor, a State Department official named George P. Kent demanded to know "who took the bribe and how much was it?"

The prosecutor general was fired soon after. But it wasn't long before the new prosecutor, Viktor Shokin, was drawing allegations of corruption, including from State Department officials who suspected he was shaking down targets and intentionally slow-walking investigations to protect allies.

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Mr. Giuliani has claimed, without evidence, that Mr. Biden's push to oust Mr. Shokin was an attempt to block scrutiny of his son's actions. In fact, Mr. Biden was just one of many officials calling for Mr. Shokin to go. Good-government activists were protesting his actions in the streets, as were eurozone power players like Christine Lagarde, then the managing director of the International Monetary Fund, along with Ms. Nuland and Senate Republicans.

"The position regarding getting rid of Shokin was not Vice President Biden's position; it was the position of the U.S. government, as well as the European Union and international financial institutions," said Amos J. Hochstein, former coordinator for international energy affairs at the State Department and one of the few administration officials who directly confronted Mr. Biden at the time about his son.

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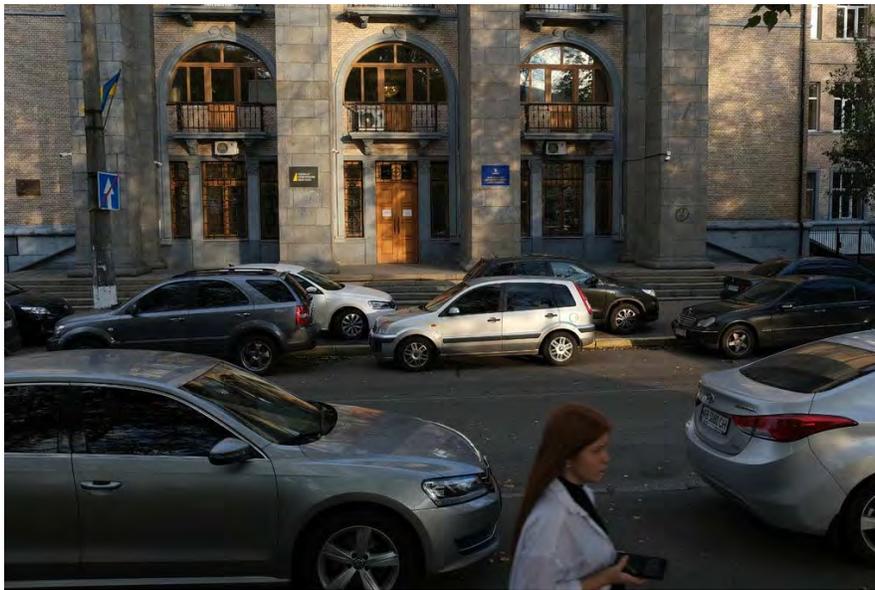


Ukraine's energy industry, the country's geopolitically crucial economic engine, was a central point of contention between the Obama administration and Kiev. Mr. Biden and Mr. Hochstein, echoing a similar effort by European officials, pressured Mr. Poroshenko to reform the operations of the state-owned natural gas company Naftogaz, which controlled about two-thirds of the country's energy resources.

(Burisma, a smaller, privately owned company, played no role in Mr. Biden's pressure campaign, and administration officials could not recall whether the company was even mentioned in meetings the vice president attended on energy matters.)

By late 2015, American officials had grown so frustrated with Mr. Poroshenko's sluggish response on all fronts that Mr. Biden was dispatched to make the case publicly for reforms to the Ukrainian Parliament.

That December, in a speech that he later described as one of the most important he had ever delivered, the vice president told legislators they had "to remove all conflicts between their business interest and their government responsibilities." He also singled out the natural gas industry, saying, "The energy sector needs to be competitive, ruled by market principles — not sweetheart deals."



The National Anti-Corruption Bureau in Kiev. Sean Gallup/Getty Images

His words, like his work in Ukraine over all, were important but hardly decisive.

"A lot of good things would not have happened if Biden hadn't been focused on Ukraine, but his work did not fundamentally change the overall institutional corruption," said Edward C. Chow, an expert on geopolitics and energy policy at the Center for Strategic and International Studies, a nonpartisan Washington think tank. "And having his son doing what he did was a distraction that undermined his message."

Mr. Shokin was eventually fired, but only months later, after I.M.F. officials threatened to withdraw funding.

In the intervening years, there has been much churn and less change. Mr. Putin, facing sanctions, has mostly stayed in check. Mr. Poroshenko was beaten at the polls by Volodymyr Zelensky in April, and remains bitter toward Mr. Biden for calling him out over his handling of Naftogaz during a meeting shortly before the 2016 elections, according to a person to whom he recently complained.

Some reforms have been put in place at the energy giant: Ukrainian officials agreed to appoint an international oversight board (Mr. Hochstein is now a paid I.M.F. appointee to the panel), but the issue of sweetheart deals remains unresolved.

The battle over Naftogaz has also become wrapped up in the House impeachment inquiry. Two of Mr. Giuliani's associates in his pressure campaign against the Bidens — Lev Parnas and Igor Fruman — were part of an effort to remove Mr. Pyatt's successor as ambassador to Kiev, Marie L. Yovanovitch, who had called for reforms to the energy giant.

For his part, Hunter Biden remained on Burisma's board until his term expired in April.

It was Mr. Trump, ironically, who signed off on Mr. Biden's request to send the Javelins.

## Handling the Story

Mr. Biden wants to move on.

"I carried out the policy of the United States government," he said during the most recent Democratic debate. "That's what we should be focusing on."

But he did not take advantage of a chance to eliminate the distraction four years ago, when the threat resurfaced — in the form of questions from The New York Times and follow-ups from other news organizations — as he flew to Kiev on Air Force Two to deliver the anti-corruption speech to Parliament.

Several aides recalled a surreal split-screen of activity onboard, as Mr. Biden's team focused mostly on the speech (he urged them to make it tougher), but peeled off for intermittent huddles on how to handle the Hunter story (Mr. Biden dismissed the story as a distraction, and did not engage). The group defaulted to the pushback plan used the year before when the story had first emerged, issuing a statement that Hunter Biden was "a private citizen and a lawyer."

They emphasized "private citizen," many former aides said, because the vice president would not even discuss taking the step that could make all questions vanish: asking his son to quit the Burisma board, as editorial boards and Ukraine experts were suggesting.



Hunter Biden, the former vice president's son, served on the board of the Ukrainian energy company Burisma Holdings. Ozier Muhammad/The New York Times

Mr. Biden's advisers say that he and his son had informally agreed years earlier not to discuss anything pertaining to the younger Mr. Biden's business activities, as a way to insulate them both.

Bob Bauer, former Obama White House counsel and Biden adviser, said that even pressuring Hunter Biden to quit the board would have constituted a breach of that firewall, and suggested that was one of the reasons the vice president chose not to do it. "The independent activities of an adult child simply don't create a 'conflict of interest' for the parent who is a public

official,” he said. “And as a matter of sound ethical practice, it is important for officials in this position to maintain that distance: to be able to show that, in doing their jobs, they could not have been affected by discussions or involvement with their adult children relating to private business matters. Their posture has to be, ‘Whatever you decide to do, I am going to do what I have to do.’”

Mr. Biden has said he first learned of his son’s activities in Ukraine when the story broke in 2014. He told his son, “I hope you know what you are doing,” according to Hunter Biden’s account of their discussion in *The New Yorker* earlier this year.

If that settled matters between father and son, Hunter Biden’s activities struck many of the officials working on Ukraine policy as an unnecessary distraction, or worse. Mr. Biden’s own aides were so worried about the optics, they enlisted State Department officials to gather facts to determine how to handle the story, according to people who worked with his office.

Yet few, if any, had raised the issue with Mr. Biden directly when it first arose. Most viewed the revelation — unseemly, but not illegal or a violation of ethics rules — as simply not worth risking a scolding from Mr. Biden, who had reacted angrily when Mr. Obama’s aides raised the issue of his son’s lobbying during the 2008 campaign. One person who briefly discussed the matter with Mr. Biden said he was anguished by his son’s personal problems and unsure how to help him recover.

Mr. Hochstein, reflecting the concerns of State Department officials, including Mr. Pyatt, tried to get several of Mr. Biden’s aides to broach the subject with him in 2014. When they declined, he took matters into his own hands, according to three Obama administration officials with knowledge of the situation. It is not clear how Mr. Biden responded; Mr. Hochstein did not disclose details of their interaction.

But former administration officials involved in the response to the story, speaking on the condition of anonymity, cited one reason above all others for backing off: the vice president’s shaky emotional state over Beau’s illness and death. Mr. Kent, now the deputy assistant secretary of state for European and Eurasian affairs, told House investigators that his concerns had not been addressed by a White House official, who told him that Mr. Biden lacked the “further bandwidth to deal with family-related issues at that time.”

Mr. Biden’s mood in 2019 is no longer grief but anger. His aides accuse the news media of abetting Mr. Trump by aiming the story, now the catalyst for impeachment, back at the former vice president.

“Let’s not forget that this was covered on A22 of *The Times* in 2015, because it did not fall outside the White House’s ethical guidelines and was simply not a major story,” said Kate Bedingfield, the Biden campaign’s communications director.

She added: “What’s different now? It’s that Donald Trump is aggressively lying about it every day in the hopes that it winds up on the front page.”

Andrew E. Kramer and Nicholas Fandos contributed reporting.

A version of this article appears in print on Nov. 11, 2019, Section A, Page 1 of the New York edition with the headline: Biden Tried to Buttress Ukraine, And a Subplot Became the Story

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Updated Sept. 2, 2020

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## The White House

Office of the Vice President

For Immediate Release

December 09, 2015

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# Remarks by Vice President Joe Biden to The Ukrainian Rada

The Rada

Kyiv, Ukraine

11:58 A.M. (Local)

THE VICE PRESIDENT: Thank you. What a great honor for me to be able to represent my country before such an august audience.

Mr. President, Mr. Prime Minister, Mr. Chairman, members of the Rada, ladies and gentlemen, I am deeply honored to be invited to speak to you today at a moment marked by great opportunity, as well as great uncertainty for the people of Ukraine. The stakes for your country and the expectations of your people have never been higher because Ukraine, as you know better than I, has been here before.

In the West, as here we remember, the Orange Revolution -- young men and women who filled the Maidan a decade ago demanding that their voices and their votes both be respected. They refused to back down in the face of rigged elections, and they succeeded.

But as history tells us and shows, and as we know, Ukraine's leaders proved incapable of delivering on the promise of democratic revolution. We saw reforms put in place only to be rolled back. We saw oligarchs uninterested in change ousted from power only to return. Reformers persecuted, thrown in prison as political retribution. And the bright flame of hope for a new Ukraine snuffed out by the pervasive poison of cronyism, corruption, and kleptocracy.

Nearly a decade later, that flame of hope was reignited by thousands of brave Ukrainians, some of you in this room, storming the Maidan, demanding a Revolution of Dignity. The world was transfixed. This time they were not going to be denied the future that so many of your country have longed for, for so long.

And the world was horrified when peaceful patriots were met by violence. They stayed at the Maidan day and night, facing down the Berkut in riot gear. For the first time since the Middle Ages, the bells of St. Mary [\*sic] raised the alarm, calling the citizens of Ukraine to reinforce their brothers and sisters on the Maidan. Tens of thousands heeded the call bringing with them food, clothing, blankets, medical supplies, and their support. As the world watched -- and I was literally on the phone with your former President urging restraint -- as the world watched, the final assault came. Amidst fire and ice, snipers on rooftops, the Heavenly Hundred paid the ultimate price of patriots the world over. Their blood and courage delivering to the Ukrainian people a second chance for freedom. Their sacrifice -- to put it bluntly -- is now your obligation.

You have a historic opportunity to be remembered as the Rada that finally and permanently laid in place the pillars of freedom that your people have longed for, yearned for, for so many years.

I need not tell you this is a joint responsibility. The President, the Prime Minister, the members of this august body -- all of you must put aside parochial differences and make real the Revolution of Dignity.

My country, too, was born of revolution. But the battle for our independence was underway well before the first shots were fired. It began when men of conscience stood up in legislative bodies representing every region in what was then Colonial America -- Massachusetts, Pennsylvania, Virginia, very different interests -- and declared in each of their regions the inherent rights of free people in different documents, in different language -- but the inherent right to be free.

They took a vast continent and a diverse people -- what John Adams, one of our Founding Fathers and future Presidents once said -- called "an unwieldy machine". And they molded that unwieldy machine into a united representative democracy where people saw themselves as Americans first and citizens of their region second.

But our union remained imperfect, our democracy incomplete. Seventy years later we went through a second testing during the American Civil War, which nearly tore our still young country asunder. Winning on the field of battle wasn't sufficient to unite our country. To end slavery and the regional differences we had, to grant former slaves citizenships and rights, the United States Congress assembled -- had to amend our Constitution.

Individual members of that Congress lost their jobs standing up to do the right thing. Everyone took real political risks to overcome entrenched opposition for the good of achieving a truly United States of America.

In the end, it came down to extraordinary patriots -- individuals putting their personal needs behind the needs of their nation, their narrow interest behind unity.

Ladies and gentlemen, I believe the President, the Prime Minister, every member of this body now faces a similar test of courage.

To quote an early American patriot, Thomas Paine, "These are the times that try men's souls." These are the times that try men's souls.

This is your moment. This is your responsibility. Each of you -- if you'll forgive me for speaking to you this way in your body -- each of you has an obligation to seize the opportunity that the sacrifices made in the Maidan, the sacrifices of

the Heavenly Hundred. Each of you has an obligation to answer the call of history and finally build a united, democratic Ukrainian nation that can stand the test of time.

Edmund Burke said it best in 1774, speaking to his constituency in Bristol, England. Here's what he said: "Parliament is a deliberative assembly of one nation, with one interest -- that of the whole; where not local purpose, not local prejudice ought to guide, but the general good."

I respectfully suggest this is a standard for which each of you will be judged. This is the standard by which your grandchildren and great grandchildren, your progeny will judge whether or not you had the moral courage to put the general good above local prejudice. And this is all within your power. It's within your hands. Nobody else's -- yours.

You can bend the arc of history of this nation toward greater justice and opportunity for the Ukrainian people, and you can do it now.

I've had the great privilege and opportunity afforded to me by all of you over the past two years to meet with representatives representing all sectors of this country -- east and west, including the illegally occupied Crimea -- from all walks of life -- civil society, members of this body, your military leaders, your clergy. I've met with souls who stood on the Maidan -- some of you are now in this chamber -- a place which I visited yesterday. All one has to do is look at the photographs of the Heavenly Hundred at that spontaneously erected monument where I stood yesterday. Just look at the photographs. This is not hyperbole. I'm not trying to be unduly -- this is real. As a foreigner, all I have to do is look at the photographs. See the photographs of young men as early as their early 20s to those in their early 80s. Every one of them were joined in common purpose, a Revolution of Dignity.

My father had an expression he repeated a thousand times growing up: Every man and woman is entitled to be treated with dignity. Everyone. That's what your new revolution was about: dignity.

And those martyrs still give voice to the timeless ideals and the timeless ideas, the universal values that unite free people all around the world. I visited every part of this world. There's fewer than a handful of countries I've not been in. I've traveled over 1.3 million miles just since being Vice President. The whole world is watching you. That's a fact. They're watching you because their hopes for your success as you fight both the unrelenting aggression of the Kremlin and the cancer of corruption will impact on them.

In both these struggles you have the unwavering support of the United States of America and the American people -- including nearly 1 million proud Ukrainian Americans. You have the united support of Europe -- Western, Central, and Eastern Europe -- all invested in your democratic success because your success goes to the heart of an enduring commitment to a Europe whole, free, and at peace. If you fail, the experiment fails. It is no exaggeration to say that the hopes of freedom-loving people the world over are with you because so much rides on your fragile experiment with democracy succeeding.

It's equally important, by the way, for aggressors around the world to understand that they can't use coercion, bribery, sending tanks and men across a border to extinguish the dreams and hopes of a people. For if you succeed, that message is sent around the world.

The President asked me back in the late winter, 2009, to come to Europe to speak at the Munich Conference to lay out the principles that would guide our administration; the fundamental elements of American foreign policy under the Obama-Biden administration. And what I said then I will repeat now. I said, we will not recognize any nation having a sphere of influence. Sovereign states have the right to make their own decisions and choose their own alliances. Period. Period. (Applause.)

In the 21st century, nations cannot -- and we cannot allow them to redraw borders by force. These are the ground rules. And if we fail to uphold them, we will rue the day. Russia has violated these ground rules and continues to violate them. Today Russia is occupying sovereign Ukrainian territory. Let me be crystal clear: The United States does not, will not, never will recognize Russia's attempt to annex the Crimea. (Applause.) It's that saying -- that simple. There is no justification.

And as Russia continues to send its thugs, its troops, its mercenaries across the border, Russian tanks and missiles still fill the Donbas. Separatist forces are organized, commanded and directed by Moscow -- by Moscow. (Applause.)

So the United States will continue to stand with Ukraine against Russian aggression. We're providing support to help and train and assist your security forces, and we've relied on and rallied the rest of the world to Ukraine's cause.

I have spent hours -- as the President has -- talking to heads of state in Europe and around the world, making it clear that one of the tests for whether or not they are our allies is are they allied with your purpose.

America and Europe now stand together united in our commitment to impose tough economic sanctions on Russia. And while Russian aggression persists, the cost imposed on Moscow will continue to rise. The false propaganda that the Kremlin is disseminating in an attempt to undermine Ukraine and fracture Europe's resolve will not work. No one should mistake saber rattling and bombast for strength. Let me say that again, no one should mistake saber rattling and bombast for real strength.

We're taking steps to bolster Europe's resilience to Russian coercive tactics. We are strengthening NATO as I speak, improving energy security as I speak, and attempting to help spur an economic revival throughout Europe.

The United States and Europe will maintain pressure until Moscow fulfills its commitments under the Minsk Agreement. While there has been some progress in deescalating the violence, there can be no sanctions relief unless and until Russia meets all of its commitments under the Minsk Agreement. (Applause.)

And I might add parenthetically, I don't think the Russian people fully understand what Putin is doing. That's why he spends so much time hiding at home the presence of Russian forces here in your country. Heavy weapons must be withdrawn from the frontlines. The OSCE must be granted full, unencumbered access. Russia must press the separatists to hold elections according to Ukrainian law and OSCE standards and disavow the illegal election that's just taken place. Hostages held by Russia and its proxies must be returned. Russian troops must leave. The Ukrainian side of the border must be returned to Ukrainian control. Unless all -- if they do all of that, and only if they do, Ukraine also has a responsibility it still has to fulfill -- including amnesty for those who have not committed capital offenses; granting devolved administration to the Donbas. But we've made it clear to Russia and the world that continued delay and foot-dragging is unacceptable. That includes elections in the Donbas. They can only go forward as stipulated under the Minsk Agreement. Full access to the media must be provided. Ukrainian political parties allowed to compete openly. Full and unobstructed OSCE election monitoring. Full voting rights for the people displaced from their homes in the Donbas and living elsewhere in Ukraine. And all weapons contained and kept under OSCE supervision. That only happens if Russia lives up to its commitments, if Russia does its part. If it does, then you must follow through with yours because this is the best chance to keep Donbas in Ukraine, end the conflict, and begin restoring Ukrainian sovereignty and territorial integrity. (Applause.)

It's hard. There's nothing easy about what you have to do. There's nothing easy. The pressure you will all get will be immense.

I'd like to also speak directly to the people in the Donbas. The alternative to what I just said is to continue to live under separatists thugs, criminals who deny humanitarian aid, keep out organizations like Doctors Without Borders, stealing lifesaving medicine to sell on the black market. That's not a future. That's not a future I believe any Ukrainian wants for their children.

That's why the Minsk Agreement needs to be implemented in full. And truly free and fair elections are exactly what the Kremlin fears the most. It's not just your territory they covet; it's your success that they fear. For if free elections occur, and the people determine, as I am confident they will, that they want to remain and integral part of Ukraine, that they are Ukrainians first, that's what Russia fears. That's what Putin fears.

Because as all of you know the struggle for Ukraine's freedom is not confined to the battlefields of the east. Constitutional reform that includes judicial reform and decentralization does not compromise your sovereignty. It enhances it. It's an important step to building a strong, new nation. And it's important to the Ukrainian-European future.

This issue of federalism is the thing that almost prevented our nation from coming into being. Autonomous independent states, their determination to have their own police forces, their determination to have their education system, to have their own government under the united Constitution.

But in addition, you also have a battle, a historic battle against corruption. Ukraine cannot afford for the people to lose hope again. The only thing worse than having no hope at all is having hopes rise and see them dashed repeatedly on the shoals of corruption.

And if the people resign themselves to exploitation and corruption for fear of losing whatever little they have left, that would be the death knell for Ukrainian democracy. We've taken so many critical steps already. But all of you know there's more to do to finish this race. Not enough has been done yet.

As the Prime Minister and the President heard me often say, I never tell another man or another nation or another woman what's in their interest. But I can tell you, you cannot name me a single democracy in the world where the cancer of corruption is prevalent. You cannot name me one. They are thoroughly inconsistent. And it's not enough to set up a new anti-corruption bureau and establish a special prosecutor fighting corruption. The Office of the General Prosecutor desperately needs reform. The judiciary should be overhauled. The energy sector needs to be competitive, ruled by market principles -- not sweetheart deals. It's not enough to push through laws to increase transparency with regard to official sources of income. Senior elected officials have to remove all conflicts between their business interest and their government responsibilities. Every other democracy in the world -- that system pertains.

Oligarchs and non-oligarchs must play by the same rules. They have to pay their taxes, settle their disputes in court -- not by bullying judges. That's basic. That's how nations succeed in the 21st century.

Corruption siphons away resources from the people. It blunts the economic growth, and it affronts the human dignity. We know that. You know that. The Ukrainian people know that. When Russia seeks to use corruption as a tool of coercion, reform isn't just good governance, it's self-preservation. It's in the national security interest of the nation.

Russia is trying to undermine the stability and sovereignty of Ukraine any way they can't, including squeezing Ukraine financially, trying to undermine your economy. They view that as a cheaper way than sending tanks across the line of contact.

So Ukraine must be strong enough to choose its own future, strongly. Strong defensively. Strong economically. A strong system of democratic governance.

The United States is with you in this fight. We understand we're with you afar. It's much harder for you than it is for us. We've stepped up with official assistance to help backstop the Ukrainian economy. We've rallied the international community to commit a total of \$25 billion in bilateral and multilateral financing to support Ukraine. It includes \$2 billion in U.S. loan guarantees and the possibility of more.

Yesterday I announced almost \$190 million in new American assistance to help Ukraine fight corruption, strengthen the rule of law, implement critical reform, bolster civil society, advance energy security. That brings our total of direct aid to almost \$760 million in direct assistance, in addition to loan guarantees since this crisis broke out. And that is not the end of what we're prepared to do if you keep moving.

But for Ukraine to continue to make progress and to keep the support of the international community you have to do more, as well. The big part of moving forward with your IMF program -- it requires difficult reforms. And they are difficult. Let me say parenthetically here, all the experts from our State Department and all the think tanks, and they come and tell you, that you know what you should do is you should deal with pensions. You should deal with -- as if it's easy to do. Hell, we're having trouble in America dealing with it. We're having trouble. To vote to raise the pension age is to write your political obituary in many places.

Don't misunderstand that those of us who serve in other democratic institutions don't understand how hard the conditions are, how difficult it is to cast some of the votes to meet the obligations committed to under the IMF. It requires sacrifices that might not be politically expedient or popular. But they're critical to putting Ukraine on the path to

a future that is economically secure. And I urge you to stay the course as hard as it is. Ukraine needs a budget that's consistent with your IMF commitments.

Anything else will jeopardize Ukraine's hard-won progress and drive down support for Ukraine from the international community, which is always tenuous. It's always tenuous. We keep pushing that support.

The Ukrainian people have long struggled to direct their own destinies, to carve out a place besides the mighty Dnipro, to claim their own identity, proud and distinct.

A great poet Taras Shevchenko wrote verse after verse declaiming the spirit of Ukraine, urging his fellow Ukrainians rise up and claim their liberty. His poem "The Testament" ends with this reflection. And I quote:

Then, in the mighty family

Of all men that are free,

May be sometimes, very softly

You will speak of me?

May be sometimes very softly you will speak of me. (Applause.)

Ladies and Gentlemen, I will speak of Ukraine. I will speak of the writer who took a beating on the Maidan to put him in the hospital. When asked why he sustained those injuries, why he was willing to endure it, he wrote: "People who don't protest injustice, they have no future."

I will speak of the young mother who gave up a lucrative career working on government reform. And then when asked why, she replied: "I have two small children and I cannot fight in the east. So this is what I can do for my country." (Applause.)

I will speak up for the university student who handed out food on the Maidan and later spoke about how those months changed. She said: "Now people don't think about what Ukraine can give them but about what they can give Ukraine."

I will speak of the men and women of this institution, a freely elected representative body of the people. I will speak of the sacrifices you've made. Nadiya Savchenko, the pioneering Ukrainian helicopter pilot who was elected to the Rada, despite being unjustly imprisoned in [sic] to this day. I will speak of her bravery, and many others will, as well. I will speak about how it's up to all of you to ensure the people of this land, once and for all -- that mighty family of all men that are free.

Ukraine's moment. It may be your last moment. Please for the sake of the rest of us, selfishly on my part, don't waste it. Seize the opportunity. Build a better future for the people of Ukraine.

There was a famous American politician when I was a young senator. He was in the other party -- very different ideology. But he said -- once in response to a question, he said, in your heart, in your heart, you know it's right. In your heart, you know what's right. You know. Do it. As long as you remain on that path, as long as you honor the obligation to the Ukrainian people, you never have to worry or doubt America and the United States will be by your side.

I hesitated to come to make this speech. The reason I did is not because a lack of affection for your country. But as a man who sat where you're sitting for 36 years as a United States senator, sometimes when a foreign leader would come to speak, I resented when he or she appeared to lecture us. I hope I don't come across as hectoring or lecturing you. Because that's not my intention. I just have -- as a fellow human being, I just have such hope in the promise of what you could deliver. It will spread far beyond the borders of Ukraine.

I used to wonder as a young senator when I first stood up on the Senate floor, and I've never been frightened of standing and speaking, I stood up and all of a sudden I realized that my desk is exactly where a senator, Daniel Webster, spoke from. I mean this sincerely. And for the first and only time in my career, I was seized with, my God, one of the great men in our history stood in this spot. And I wondered what it'd have been like to be in that first Congress that gave us our freedom, created what I consider to be a great and decent nation. Well, that's where you are. It's not hyperbole. That's

where each of you sit. If you succeed, you will be the founders of the first truly free, democratic, united Ukraine. An awesome responsibility, but what an incredible, incredible opportunity to serve your country.

Thank you so much for this opportunity to speak to you today. May God bless our two great nations and may God protect our troops. (Applause.)

END

12:33 P.M. (Local)

\*St. Michael's



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**From:**Kent, George P  
**Sent:**Tue, 6 Sep 2016 09:55:14 -0400  
**To:**Brink, Bridget A;Andrews, Jorgan K  
**Cc:**Yovanovitch, Marie L  
**Subject:**Bullying, threatening call by Blue Star's Sally Painter (Re Lutsenko)

Bridget, Jorgan:

Need to give you a heads up that I took a call just now from Sally Painter from Blue Star Strategies, the first time we have interacted. I am confident it will be the last. Nearly simultaneously her boss, Karen Tramontano, called on the other line asking to talk to the Ambassador (who is out on the run the rest of the day, event to event).

Painter adopted a hostile, aggressive tone from the outside, and was rude and accusatory throughout. It was unlike any conversation I have had in my 24+ years in the foreign service, and completely inappropriate on her part. She ended the conversation by saying that she would take the matter up with "The Under Secretary." (NFI)

The topic/issue was Prosecutor General Yuri Lutsenko, and his now cancelled plans to come to Washington – a trip that Blue Star had apparently been arranging.

I wasn't able to scribble notes to follow the specific accusations and bullying remarks. The crux of the accusation was that I had allegedly damaged her/firm's reputation to Lutsenko, and allegedly told him not to have anything to do with them (for the record: I did not tell him that. Full stop). She then proceeded to make rambling reference to "not representing Nikolai in the US" (I presume this is Zlochevsky), "because he has legal representation in the US, or Burisma" (Zlochevsky's company), and that she had represented Yushchenko's interests in the US for five years, and knew what was legal and what was not, and when it was required to register, that she was on the board of the Atlantic Council, and on a pro bono basis had been happy to arrange something with John Herbst (ie, for Lutsenko to speak), and that they also had offered a private dinner for Lutsenko that she and her partner Tramontano would have hosted for Lutsenko at no cost, to invite various people, important people, including Melanne Veveer, who was by the way close to former Secretary Clinton.

After I let her vent for close to five minutes and she reached a pause, I pointed out that we had never previously talked. I noted that her tone and accusations, including outright misrepresentations of my conversations with Lutsenko, was an odd way of initiating a first time conversation. I stated that the first time I had ever heard her name had been earlier this summer, when Dan Fried called and asked me if I would be willing to talk to her. I told Dan I would, and had passed my number. Painter jumped in and said: "you never called back." I reiterated that Dan had asked me if I would be willing to talk to her; I had said yes, and passed him my number, and never heard anything further.

I told her that, given the aggressive, threatening, bullying tone she had adopted and her misrepresentations of what I had said in the course of diplomatic discussion, I was within norms and my rights simply to wish her good day and hang up. I instead offered a partial reset, if she were interested (she was). I told her that I had met the Prosecutor General to talk about his proposed trip. I had given him the general advice that for a trip to Washington on which he would look to engage the USG, it made sense to work primarily through the US embassy here and the Ukrainian embassy in Washington. We

became aware of the trip because a senior DOJ official had reached out to the embassy for our reaction and what we knew of the trip.

Painter broke in at this point and said: “we know that. Government to government meetings would be the responsibility of the Ukrainian embassy.” This is in fact a false statement by Painter. Blue Star, through an associate who traveled with Tramontano to Kyiv in July and was previously a DOJ political appointee, reached out to DOJ itself; Bruce Schwartz then called RLA Jeff Cole about the visit. That is how we learned of the trip. I subsequently reached out to the Ukrainian acting DCM, Oksana, who indicated she knew nothing of the request to DOJ.

Beyond arranging govt-govt meetings, I continued, I had suggested to Lutsenko that the proposed timing of his trip (25-27 Sept) was not the best, because of UNGA and attention on international relations focused on New York in the second half of September, and the election season, with key people on the Hill out on the stump six weeks before the general election. That suggested an earlier or later trip.

Ukrainian officials had been known to have relations with third parties for other events, and that was their business. Ours was bilateral relations, and that had been my focus.

When Painter went back into interrogative mode, asking whether I had mentioned her company, I told her that it would not be appropriate to share the content of my conversation with the Prosecutor General. She referenced an email that Lutsenko sent “her” (Blue Star), and said I would have to answer if I damaged the reputation of her company, and that she would take it up with the Under Secretary (unspecified).

At that point, I told her I could not and would not presume to characterize Lutsenko’s private correspondence, while reminding that she had mischaracterized my conversations with Lutsenko. I wished her good day, and told her the conversation was over. And went back to my regularly scheduled business, since I had kept the visiting regional medical officer waiting in the meantime.

--

Footnote1: Lutsenko told me he did not know who exactly had come to Kyiv and talked to him in July about coming to Washington. He said Blue Star had promised they could arrange access to high levels of the Clinton campaign, including someone who might lead her White House (my guess: Podesta, head of the campaign, for whom Tramontano worked in the last year of the Bill Clinton White House). The political angle of the trip is what interested him. I pulled up the Blue Star website on my phone and showed him photos of Tramantano (he said: “that’s her”). I showed him a picture of Painter (right underneath); he shook his head and replied: “never seen her.”

Footnote 2: When Dan Fried called me in the summer, asking if I would be willing to talk to Painter, the subject was Zlochevsky, and allegedly the bad reputational deal he was getting. I warned Dan this was a sticky wicket, that Zlochevsky was viewed as corrupt, not just in Ukraine but by the USG/FBI, that he almost certainly had paid a bribe to the PGO office (Yarema team) to have them close a case against Zlochevsky in December 2014 and issue a letter to that effect to Zlochevsky’s lawyer, who flipped it to a UK judge, who unfroze assets that the FBI and MI5 had spent months trying to make a case for asset repatriation – the first and so far only possible case, in an effort we collectively have spent hundreds of thousands of dollars. Furthermore, the presence of Hunter Biden on the Bursima board was very awkward for all US officials pushing an anti-corruption agenda in Ukraine. Dan then said: “Sally’s apparently been asked to gather information in an attempt to convince Hunter to sever the relationship.” I said he was free to pass my name and number to her, and I would be as forthright about

Zlochevsky and Burisma as I had been to him. I heard nothing further. From the conversation today with Painter, it would appear she is on a first name basis with Zlochevsky.

Footnote 3: after we learned of the possible Lutsenko trip by the DOJ-RLA interaction, I discussed with RLA, LEGATT, and INL possible next steps. We agreed I would SMS Lutsenko to seek confirmation of his plans, both to travel to DC and to use of a third party rather than embassies to arrange the trip. He responded with a request to meet one on one to discuss. We did – it slipped from Friday to Saturday, because on Friday Lutsenko released the Illovaik report regarding the August 2014 tragedy, and who was at fault (in short: the Russians, for invading/killing hundreds of Ukrainians after offering free passage; but “mistakes were made” by the Ukrainian general staff).

Sensitive  
This email is UNCLASSIFIED.

**From:**Brink, Bridget A  
**Sent:**Tue, 4 Oct 2016 18:22:18 -0400  
**To:**Yovanovitch, Marie L;Kent, George P  
**Subject:**Re: Leshchenko claims Blue Star's SP went after him, spreading "black PR" ahead of his Washington meetings

Interesting, thanks.

---

**From:** Kent, George P <[REDACTED]>  
**Date:** October 4, 2016 at 11:15:21 PM GMT+2  
**To:** Yovanovitch, Marie L <[REDACTED]>  
**Cc:** Brink, Bridget A <[REDACTED]>  
**Subject:** Leshchenko claims Blue Star's SP went after him, spreading "black PR" ahead of his Washington meetings

Right Bank-Inside the Beltway relations are starting to heat up, with proxy elbows being thrown from afar (and not the first time – Greg Craig/Skaden’s infamous “report” on Tymoshenko from 2012 commissioned by Yanu’s Justice Minister, being advised by Paul Manafort).

Sergiy Leshchenko FB messaged me to say Blue Star’s Sally Painter distributed a “Black PR” report during his DC visit designed to discredit him among “stakeholders” – several people who received the report, attached, from her, then alerted him/forwarded it. The “research” report was prepared by someone named Jeremiah Baronberg, working for a PR/Lobbying firm called Fontheim. Below was the screen shot, with some info blurred of a note circulating among Washington opinionators ahead of his NDI talk. Focus is Leshchenko’s purported relationship with Grigorhyshyn (which does seem to exist and is to my mind a weak spot for Sergiy), and how that allegedly drove his anti-corruption reporting over recent years, focusing on purported foes of Grigorhyshyn. Sergiy claims the photo in this report purportedly showing him with Grigorhyshyn is fake, that the situation is one of manipulation + disinformation.

When I raised whether his known willingness to associate with Grigorhyshyn was a potential vulnerability that could then be exploited by manipulation+disinformation, he replied: of course I know and meet Grigorishin, but also Pinchuk, Fiala, Zhevago, Utkin etc. And it is not the point to say that I was ordered by any of these persons

He continued by adding that SP worked on behalf of Lyovochkin when the latter was Yanu’s chief of staff, pre-EuroMaidan.

Since it is after midnight, I wished him good night. Don’t want to go down that rabbit hole too far.

**From:** Jeremiah Baronberg  
**Date:** September  
**To:**  
**Subject:** NDI event tomorrow: Enacting Sustainable Reform in Ukraine

I see that you follow Ukraine and the region and that you are based in Washington, as am I.

You may be aware of the below event about Ukraine taking place at NDI tomorrow with Serhiy Leshchenko.

If you are planning to attend, I thought you might be interested in the attached research I've done.

It raises some questions that you may be interested to look into further.

Best regards,

Jeremiah Baronberg



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## OUR TEAM

### IN THIS SECTION

About Us

Our Team

- [Jeremiah Baronberg](#)
- Lisa B. Barry
- Sam Buchman
- Claude G.B. Fontheim
- D. Holly Hammonds
- Stephen Herbits
- Richard Leach
- Ken Levinson
- Bernadette Palmeri
- Ritu Sharma

Careers

Our Clients

## Jeremiah Baronberg

### Senior Advisor

Jeremiah J. Baronberg is a Senior Advisor at Fontheim International LLC, where he advises and represents clients regarding corporate social responsibility and international trade and public policy matters.

Prior to joining Fontheim International, Mr. Baronberg served as the business development strategist for the public policy and regulatory affairs practice at an international law and government relations firm.

Previously, Mr. Baronberg served on the global advisors practice at a leading bipartisan multidisciplinary government affairs firm. He represented foreign governments, political leaders, global companies, and multi-lateral and non-profit organizations on their bilateral and foreign policy, economic development, international trade, market access, and business investment objectives in the U.S. and emerging markets.

His client engagements have included focus on: transatlantic relations; free and fair elections; anti-money laundering/counter-terrorism financing; U.S. trade preferences; European energy security; NATO and EU Summits and enlargement; and the historic modernization of the U.S. Visa Waiver Program in 2008, which resulted in legislation enabling the citizens of Central and Eastern European countries to travel to the U.S. visa-free.

SBU

This email is UNCLASSIFIED.

---

From: [lbi@lbicompany.com.ua](mailto:lbi@lbicompany.com.ua)

Sent: Tuesday, October 4, 2016 8:34 PM

To: Kyiv, Media Alerts

Subject: FB:Leshchenko: The notorious "gag orders" of the Presidential Administration are now in the

United States.

Facebook: [Serhiy Leshchenko](#)

04.10.2016

The notorious "gag orders" of the Presidential Administration are now in the United States. On the eve of my arrival to Washington a PR agency was hired that has sent "gag orders" against me in regard of the organizations we cooperate with. Truth was mixed with lies and they did not bother checking the authenticity of the sources. The guys were doing a careless work so frankly, when spending money of their Ukrainian clients, that they even used falsified photos.

The author of the "gag order" was Jeremiah Baronberg from the company Fontheim International, LLC. The leaders of the lobbying company Blue Star Strategies LLC, which helped Borys Lozhkyn when he was working as the Head of the Presidential Administration of Poroshenko, also took part in sending this "gag order."

What can I say? Write more "gag orders," send them to all addresses not only in America, but also in Europe. Because normal people understand - if someone is willing to spend time and money on work against me, then there is truth in my words. I think that the "gag order" against me being spread is a kind of recognition. I'm waiting for new "masterpieces."

<https://www.facebook.com/leshchenko.ukraine/posts/1189313351139331?pnref=story>

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*With best regards,  
LBI Team*

[www.lbicompany.com.ua](http://www.lbicompany.com.ua)

(044) 501 58 41

(097) 479-13-50

United States Senate  
WASHINGTON, DC 20510

February 12, 2016

H.E. Petro Poroshenko  
President of Ukraine  
Presidential Administration of Ukraine  
11 Bankova Street  
Kyiv, Ukraine 01220

Dear President Poroshenko,

As members of the U.S. Senate Ukraine Caucus and strong supporters of your government, we write to express our concern regarding the recent resignation of Minister of Economy Aivaras Abromavičius and his allegations of persistent corruption in the Ukrainian political system.

During the past year, Mr. Abromavičius and his team implemented tough but necessary economic reforms, worked to combat endemic corruption, and promoted more openness and transparency in government. He was known to many of us as a respected reformer and supporter of the Ukrainian cause. Minister Abromavičius's allegations raise concerns about the enormous challenges that remain in your efforts to reform the corrupt system you inherited.

We recognize that your governing coalition faces not only endemic corruption left from decades of mismanagement and cronyism, but also an illegal armed seizure of territory by Russia and its proxies. Tackling such obstacles to reforms amidst a war and the loss of much of southeastern Ukraine's economic productivity is a formidable challenge -- one which we remain committed to helping you overcome.

Succeeding in these reforms will show Russian President Vladimir Putin that an independent, transparent, and democratic Ukraine can and will succeed. It also offers a stark alternative to the authoritarianism and oligarchic cronyism prevalent in Russia. As such, we respectfully ask that you address the serious concerns raised by Minister Abromavičius. We similarly urge you to press ahead with urgent reforms to the Prosecutor General's office and judiciary. The unanimous adoption by the Cabinet of Ministers of the Basic Principles and Action Plan is a good step.

We very much appreciate your leadership and commitment to reform since the Ukrainian people demonstrated their resolve on the Maidan two years ago, and we look forward to continued cooperation in the future.

Sincerely,

*Rob Portman*

Senator Rob Portman

*Dick Durbin*

Senator Richard J. Durbin

*Jeanne Shaheen*

Senator Jeanne Shaheen

*Ron Johnson*

Senator Ron Johnson

*Chris Murphy*

Senator Chris Murphy

*Mark Kirk*

Senator Mark Kirk

*Richard Blumenthal*

Senator Richard Blumenthal

*Sherrod Brown*

Senator Sherrod Brown



# GOP senator says he doesn't remember signing 2016 letter urging 'reform' of Ukraine prosecutor's office

BY ZACK BUDRYK - 10/03/19 06:00 PM EDT

## Just In...

**California family frustrated governor, Harris used fire-damaged property for 'photo opportunity'**

STATE WATCH — 8S AGO

**FBI chief says Russia is trying to interfere in election to undermine Biden**

CYBERSECURITY — 3M 10S AGO

**FBI director calls Antifa 'a real thing'**

NATIONAL SECURITY  
— 8M 27S AGO

**House passes resolution condemning anti-Asian discrimination relating to coronavirus**

HOUSE — 17M 32S AGO

**Chamber to lay off a dozen employees, expand advocacy efforts amid coronavirus pandemic**

BUSINESS & LOBBYING  
— 17M 39S AGO

**Patients are dying unnecessarily from organ donation policy failures**

OPINION — 22M 20S AGO

**University of Georgia reverses, will allow on-campus early voting**

STATE WATCH — 28M 24S AGO

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Sen. Ron Johnson (R-Wis.) told reporters Thursday he did not recall signing a letter urging reforms in the office of the Ukrainian prosecutor President Trump has alleged former Vice President Joe Biden improperly had ousted, [The Milwaukee Journal-Sentinel](#) reported.

Trump has repeatedly alleged Biden used his office to have Prosecutor General Viktor Shokin fired and prevent him from investigating a gas company whose board included Biden's son Hunter.

CNN on Thursday reported that three Republican senators, including Johnson, Sen. Rob Portman (R-Ohio) and then-Sen. Mark Kirk (R-Ill.) [signed a 2016 letter](#) urging "urgent reforms to the Prosecutor General's office and Judiciary."

"I send out all kinds of oversight letters ... I don't know which 2016 oversight letter you're referring to so I will look at that and then we'll issue a press release, statement, or something — but I don't engage in hypocrisy. I'm looking at getting the truth," Johnson said when asked about the letter.

Johnson did acknowledge the letter in an interview Thursday on WIBA's "The Vicki McKenna Show," saying "The whole world, by the way, including the Ukrainian caucus, which I signed the letter, the whole world felt that

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ADMINISTRATION — 30M 24S AGO

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Senate Republicans signal openness to...



this that Sholkin wasn't doing a [good] enough job. So we were saying hey you've got to rid your elf of corruption "

In the first interview, Johnson also said there was no misconduct in Trump call on Thur day for China to inve tigate Biden and hi on

"If there's potential criminal activity, the President of the United States is our chief law enforcement officer We have proper agreement with countries to investigate potential crimes so I don't think there's anything improper about doing that," he aid

Even as he endorsed investigations by both China and Ukrainian officials, John on denied the July 25 call between Trump and Ukrainian Pre ident Volodymyr Zelensky at the heart of a whistleblower complaint represented Trump pre uring Zelen ky to inve tigate the Biden

"I look at that transcript and I go, it's Trump being Trump," Johnson said, according to the Journal Sentinel

In a statement, Andrew Bates, rapid response director for the Biden campaign, told The Hill "The United State , the European Union, the I.M.F., and Ukraine's leading reform figures were all pressing for Viktor Shokin to be removed from office because he was one of the biggest obstacles to fighting corruption in the entire country. This was a bipartisan goal in Congress as well."

"It is unfortunate that Senator Johnson seems to have forgotten a time when he put the country's values over his own politics, but perhaps re-reading his well-articulated words whole-heartedly agreeing with Joe Biden's push to move the anti-corruption cause in Ukraine forward will help him on his journey back to intellectual consistency," Bates added.

Updated: 9:35 p.m.

TAGS DONALD TRUMP RON JOHNSON ROB PORTMAN JOE BIDEN MARK KIRK

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TWEET

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United States Senate  
WASHINGTON, DC 20510

November 21, 2019

The Honorable David S. Ferriero  
Archivist of the United States  
U.S. National Archives and Records Administration  
700 Pennsylvania Avenue, NW  
Washington, DC 20408

Dear Mr. Ferriero:

We write to request records of multiple White House meetings that took place in 2016 between and among Obama administration officials, Ukrainian government representatives, and Democratic National Committee (DNC) officials. According to recent reports, in January 2016 “some of Ukraine’s top corruption prosecutors and investigators [met] face to face with members of former President Obama’s National Security Council (NSC), FBI, State Department and Department of Justice (DOJ).”<sup>1</sup> Other meetings included Alexandra Chalupa, a contractor for the DNC, who reportedly worked with Ukrainian government officials to undermine the Trump campaign.

According to Andrii Telizhenko, a political officer in the Ukraine Embassy in Washington, D.C. who participated in a January 2016 meeting, “U.S. officials volunteered . . . that they had an interest in reviving a closed investigation into payments to U.S. figures from Ukraine’s Russia-backed Party of Regions,” which refers to the investigation that involved Paul Manafort.<sup>2</sup> He “recalled DOJ officials asking investigators from Ukraine’s National Anti-Corruption Bureau (NABU) if they could help locate new evidence about the Party of Regions’ payments and its dealings with Americans.”<sup>3</sup>

During that same meeting, U.S. officials also reportedly brought up investigations relating to Burisma Holdings, the Ukrainian gas company that had hired then-Vice President Joe Biden’s son, Hunter, to serve as a board member.<sup>4</sup> According to Telizhenko, “U.S. officials told the Ukrainians they would prefer that Kiev drop the Burisma probe and allow the FBI to take it over.”<sup>5</sup>

According to that same reporting, there were multiple meetings between U.S. officials and Ukrainian authorities in January 2016. It noted that at least one of these meetings was held

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<sup>1</sup> John Solomon, *How the Obama White House engaged Ukraine to give Russia collusion narrative an early boost*, The Hill (Apr. 25, 2019), <https://thehill.com/opinion/white-house/440730-how-the-obama-white-house-engaged-ukraine-to-give-russia-collusion>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

in the White House's Old Executive Office Building (OEOB), and confirmed that Nazar Kholodnytskyy, the head of Ukraine's Specialized Anticorruption Prosecutor's Office, attended some but not all of these meetings.<sup>6</sup>

White House meeting records also show that Alexandra Chalupa, a Ukrainian-American operative "who was consulting for the Democratic National Committee" during the 2016 U.S. presidential election, attended numerous meetings at the White House, including one event with President Obama.<sup>7</sup>

Chalupa reportedly worked to get dirt on Trump from the Ukrainians. For example, in March 2016, Chalupa reportedly met with Valeriy Chaly, Ukraine's ambassador to the U.S., and Oksana Shulyar, a top aid to the Ukrainian ambassador, to share her alleged concerns about Manafort.<sup>8</sup> Reports state that the purpose of that initial meeting was to "organize a June reception at the embassy to promote Ukraine."<sup>9</sup> However, Ukrainian embassy official Andrii Telizhenko told *Politico* that Shulyar instructed him to assist Chalupa with research to connect Trump, Manafort, and the Russians.<sup>10</sup> He reportedly said, "[t]hey were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa" and that "Oksana [Shulyar] was keeping it all quiet...the embassy worked very closely with" Chalupa.<sup>11</sup> According to Telizhenko:

[Chalupa] said the DNC wanted to collect evidence that Trump, his organization and Manafort were Russian assets, working to hurt the U.S. and working with [Russian President Vladimir] Putin against the U.S. interests. She indicated if we could find the evidence they would introduce it in Congress in September and try to build a case that Trump should be removed from the ballot, from the election.<sup>12</sup>

White House visitor logs indicate that Chalupa visited the White House on at least 27 occasions.<sup>13</sup> In 2016, the year of the presidential election, she visited the White House at least five times on January 12, 2016; February 22, 2016; April 4, 2016; May 13, 2016; and June 14, 2016.<sup>14</sup>

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<sup>6</sup> *Id.*

<sup>7</sup> White House Visitor Access Records 2016 Log, [obamawhitehouse.archives.gov](https://obamawhitehouse.archives.gov), <https://obamawhitehouse.archives.gov/briefing-room/disclosures/visitor-records>.

<sup>8</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, *Politico* (Jan. 11, 2017), <https://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> John Solomon, *Ukrainian Embassy confirms DNC contractor solicited Trump dirt in 2016*, *The Hill* (May 2, 2019), <https://thehill.com/opinion/white-house/441892-ukrainian-embassy-confirms-dnc-contractor-solicited-trump-dirt-in-2016>.

<sup>13</sup> Sara Carter, *Whistleblower and DNC Contractor Visited Obama WH. It Must Be Investigated*, *Saraacarter.com* (Nov. 8, 2019), <https://saraacarter.com/whistleblower-and-dnc-contractor-visited-obama-wh-it-must-be-investigated/>; White House Visitor Access Records 2008-2016 Logs, [obamawhitehouse.archives.gov](https://obamawhitehouse.archives.gov), <https://obamawhitehouse.archives.gov/briefing-room/disclosures/visitor-records>.

<sup>14</sup> White House Visitor Access Records 2016 Log, [obamawhitehouse.archives.gov](https://obamawhitehouse.archives.gov), <https://obamawhitehouse.archives.gov/briefing-room/disclosures/visitor-records>.

In order to better understand the nature of these meetings, including who attended and what was discussed, please provide the following information:

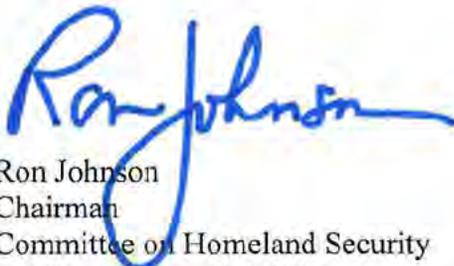
1. All records<sup>15</sup> relating to the five White House meetings listed above—January 12, 2016; February 22, 2016; April 4, 2016; May 13, 2016; and June 14, 2016—including, but not limited to:
  - a. Purpose and attendees;
  - b. Notes or transcriptions from the meetings; and
  - c. Communications about the meetings.
  
2. All records relating to meetings between and among White House officials, Andrii Telizhenko, Nazar Kholodnytskyy, Oksana Shulyar, and Valeriy Chaly including, but not limited to:
  - a. Purpose and attendees;
  - b. Notes or transcriptions from the meetings; and
  - c. Communications about the meetings.

Please provide these documents as soon as possible but no later than 5:00 p.m. on December 5, 2019.

We anticipate that your written reply and most responsive documents will be unclassified. Please send all unclassified material directly to the Committees. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. Although the Committees comply with all laws and regulations governing the handling of classified information, they are not bound, absent their prior agreement, by any handling restrictions.

Thank you for your prompt attention. Should you have any questions, please contact Brian Downey or Scott Wittmann of Chairman Johnson's staff at 202-224-4751 and Joshua Flynn-Brown of Chairman Grassley's staff at 202-224-4515.

Sincerely,



Ron Johnson  
Chairman  
Committee on Homeland Security  
and Governmental Affairs



Charles E. Grassley  
Chairman  
Committee on Finance

---

<sup>15</sup> "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

# Statement On the Ukrainian-American Strategic Partnership

23 May, 20:11

***Kyiv Security Forum expresses gratitude to the distinguished Ukrainian politicians, diplomats and civic activists for their support of the appeal to the American leaders and society on the importance of protecting the Ukrainian-American strategic partnership.***

## **Statement On the Ukrainian-American Strategic Partnership**

We, the representatives of Ukrainian politics, civil society, and the expert community, are deeply concerned to watch a campaign to involve Ukraine in the political competition in the United States unfold with renewed vigor.

Ukraine greatly appreciates the steadfast support of the American people for our independence, security, and Western course.

Our nations share the common values of national and human freedom.

The combined efforts of the two largest political parties in the United States and all concerned Americans to defend Ukraine are a major historical contribution to the creation of a united Europe and a just world order.

We call on American leaders to distinguish between the position of new Ukraine, which stands for the unity of the West and acts to unite democracies around the world, and those forces that seek to turn the political developments in our country into a toxic narrative to sow discord among our partners.

We oppose the dishonest attempts to use the political controversies in the United States. We do not choose any side, but support each of them in the same way that they together help Ukraine's independence.

We call on America's leaders to distinguish between the position of our nation from the actions of politicians instigated by Moscow.

We condemn hostile provocations aimed at alienating our nations.

We believe in the strategic partnership between Ukraine and the United States.

Let us not allow mutual distrust and doubt to erode this great and lasting relationship.

Let us stand together in times of great trials.

*Signed on May 22-23, 2020*

\* \* \*

**Arseniy Yatsenyuk**, Chairman of the Kyiv Security Forum, Prime Minister of Ukraine (2014-2016).

**Oleksandr Turchynov**, acting President of Ukraine, Speaker of the Verkhovna Rada of Ukraine (2014), National Security Advisor (2014-2019).

**Oksana Zabuzhko**, writer, National Taras Shevchenko Prize laureate.

**Joseph Zissels**, member of the First of December Initiative Group, member of the Strategic Council of the Movement against Capitulation.

**Myroslav Marynovych**, Vice-Rector of the Ukrainian Catholic University, political dissident and prisoner of conscience under the Soviet occupation, member of the First of December Initiative Group.

**Yevhen Zakharov**, Chairperson of the Kharkiv Human Rights Group, Head of the Board of the Ukrainian Helsinki Human Rights Group, member of the First of December Initiative Group.

**Leonid Finberg**, Director of the Research Center of the History and Culture of Eastern European Jewry at the National University of Kyiv-Mohyla Academy, Editor-in-Chief of the “Dukh i Litera” Publishing house.

**Ihor Kozlovsky**, prisoner of the Russian occupation regime in Donbas, President of the Center for Religious Studies, member of the First of December Initiative Group.

**Lilia Hrynevych**, Minister of Education of Ukraine (2016-2019).

**Volodymyr Vasylenko**, Ambassador Extraordinary and Plenipotentiary, Judge of the International Criminal Tribunal for former Yugoslavia (2001-2005), Representative of Ukraine to the UN Human Rights Council (2006-10).

**Volodymyr Ohryzko**, Ambassador Extraordinary and Plenipotentiary, Minister for Foreign Affairs of Ukraine (2007-2009).

**Danylo Lubkivsky**, Deputy Foreign Minister of Ukraine (2014), member of the Board of Open Ukraine Foundation.

**Ivanna Klympush-Tsintsadze**, Chair of the Parliamentary Committee on Ukraine’s integration into the EU, European Solidarity faction, Deputy Prime Minister for European and Euro-Atlantic integration of Ukraine (2016-2019).

**Yuriy Shcherbak**, Ambassador Extraordinary and Plenipotentiary of Ukraine to Israel (1992-1994), the United States (1994-1998), Canada (2000-2003).

**Oleksandr Motsyk**, First Deputy Foreign Minister of Ukraine (2004-2005), Ambassador Extraordinary and Plenipotentiary of Ukraine to the United States (2010-2015).

**Valeriy Chaly**, Ambassador Extraordinary and Plenipotentiary of Ukraine to the United States (2015-2019), Chair of the Board of the Ukrainian Crisis Media Center.

**Hanna Hopko**, civic activist, Chairwoman of the Parliamentary Committee on Foreign Affairs (2014-2019).

**Roman Bezsmetny**, Ambassador Extraordinary and Plenipotentiary, Vice-Prime-Minister of Ukraine (2005).

**Natalia Popovych**, Co-Founder of the Ukrainian Crisis Media Center, Founder of One Philosophy Group.

**Ivan Vasyunyk**, Head of the Supervisory Board of the International Foundation for the Development of the Holodomor Victims’ Memorial, Vice-Prime-Minister of Ukraine (2007-2010).

**Solomiia Bobrovska**, member of the Verkhovna Rada of Ukraine of IX convocation, Holos / Voice faction.

**Ostap Semerak**, Minister of the Cabinet of Ministers of Ukraine (2014), Minister of Ecology of Ukraine (2016-2019), member of the Verkhovna Rada of Ukraine of VI and VIII convocations.

**Iryna Geraschenko**, member of the Verkhovna Rada of Ukraine of IX convocation, Co-Chair of the European Solidarity faction, First Deputy Speaker of the Verkhovna Rada of Ukraine (2016-2019).

**Serhiy Kvit**, Minister of Education of Ukraine (2014-2016), professor at the National University of Kyiv-Mohyla Academy.

**Svitlana Voitsekhivska**, member of the Verkhovna Rada of Ukraine of VIII convocation, member of the Board of Open Ukraine Foundation.

**Maksym Burbak**, Minister of Infrastructure of Ukraine (2014), member of the Verkhovna Rada of Ukraine of VII and VIII convocations.

**Iryna Friz**, member of the Verkhovna Rada of Ukraine of VIII and IX convocations, European Solidarity faction, Minister of Veterans Affairs (2018-2019).

**Mykola Kniazhytskyi**, journalist, member of the Verkhovna Rada of Ukraine of VIII and IX convocations.

**Maria Ionova**, member of the Verkhovna Rada of Ukraine of VIII and IX convocations, European Solidarity faction.

**Mykola Ryabchuk**, Honorary President of the Ukrainian PEN-Club.

**Myroslava Barchuk**, journalist, member of the Ukrainian PEN-Club.

**Vitaliy Portnykov**, journalist, writer.

**Volodymyr Yermolenko**, philosopher, Chief-editor of UkraineWorld Initiative, analytics director at Internews Ukraine.

**Vakhtang Kebuladze**, philosopher, professor at the Kyiv Taras Shevchenko National University.

**Taras Lyuty**, philosopher, professor at the National University of Kyiv-Mohyla Academy.

**Mykhaylo Basarab**, civic activist, Coordinator of the Movement against Capitulation.

**Victoria Ptashnyk**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Viktor Yelensky**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Borys Potapenko**, Head of International Council in Support of Ukraine.

**Serhiy Vysotsky**, journalist, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Andriy Levus**, civic activist, Coordinator of the Movement against Capitulation, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Oleksandr Sochka**, member of the Verkhovna Rada of Ukraine of VI, VII and VIII convocations.

**Mykhaylo Khmil**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Myroslav Hai**, civic activist, Chairman of the Peace and Co Charitable Foundation.

**Yevhen Bystrytsky**, philosopher.

**Kateryna Smagliy**, Director of the International Cooperation Department at the Diplomatic Academy of Ukraine's Foreign Ministry.

**Mykola Horbal**, poet, political prisoner under the Soviet occupation.

**Volodymyr Dubrovsky**, economist.

**Borys Zakharov**, Director of "Human and Right" Charitable Foundation.

**Hennadiy Kurochka**, member of the Board of the Ukrainian Crisis Media Center.

**Oleksiy Panych**, philosopher, member of the Ukrainian PEN-Club.

**Valeriy Pekar**, Lecturer of Kyiv-Mohyla Business School.

**Kostyantyn Sigov**, philosopher, civic activist, Chair of the Center of the European Humanitarian Studies at the National University of the Kyiv-Mohyla Academy.

**Hennadiy Buryak**, Deputy Director of the National Institute of the History of Ukraine.

**Oleksandr Skipalsky**, Lieutenant General, Honorary President of the Veterans Society of the Intelligence Community.

**Anatoliy Podolsky**, Director of the Ukrainian Center of the Holocaust Studies.

**Ukrainian Crisis Media Center**.

## Unified Brink Transcript Errata

- HSGAC Majority

Page	Line	Correction
39	10-11	Change to “went to the Euro desk in that email chain?” from “went to the Euro desk, that email chain?”
44	17	Put a question mark after “General’s office” and begin next sentence by capitalizing “was.”
44	20	Change “was” to “were.”
46	16	Change “as” to “during.”
87	10	Change “happened” to “happening.”
89	7	Replace “to” with “on.”
92	11	Change “conditions” to “condition.”
96	25	Put quote before “I said”
97	7	Add quote after “the time”
105	15	Replace “understanding” with “understand.”
109	7	Replace “a U.S. government” with “the U.S. government.”
117	4	Change “have” to “had.”
124	9	Add end quotation after “meetings.”

- Finance Majority

Page	Line	Correction
26	18	Strike “was” and insert “were” such that it reads “And were Burisma and Zlochevsky a part...”
28	4	Change “Zlochevsky” to “Zlochevsky’s”

- HSGAC Minority

Page	Line	Correction
Throughout		Capitalize the first letter of “chairman” (in the phrase “the chairman”)
7	3	Change “act of” to “active”
58	17	Insert “the” before “Slovak”
58	22	Capitalize the first letters of “foreign service”
61	19	Insert “the” before “United”
61	21	Change “States, and did” to “States. Did”

62	13	Change “you” to “he”; add a comma after “media”
62	15	Add a comma after “Biden”
62	16	Insert quotation marks around “no evidence of wrongdoing or illegal activity”
63	16-17	Delete “was contrary to the—pardon me—that the policy of—“
66	25	Insert “for” before “those”
69	9-10	Delete “you were in sync with—“
70	25	Delete “, the”; delete the comma after “Caucus”
71	16-18	Delete
71	22	Change “Office and Judiciary” to “office and judiciary”
72	7	Change “Office and Judiciary” to “office and judiciary”
74	4	Change “reform” to “’reform”
74	11	Change “letter.” to “letter...”
74	19-20	Place quotation marks around “The Vicki McKenna Show,”
74	20	Delete “quote,”
74	21	Change “Caucus” to “caucus”
74	22	Delete “Mr.”, add brackets around “good”, change the comma after “job” to a period.
74	23-24	Delete and change to “So we were saying hey you’ve... got to rid yourself of corruption.”
74	25	Insert a comma after “testified”
75	16	Insert “, in” after “if”
76	13	Insert a comma after “supportive”
77	2-3	Delete
80	24-25	Delete
81	8	Change “Hunter Biden’s” to “Hunter’s”
81	9	Capitalize the first letter of “if”
81	18-22	Delete
82	3-4	Delete “December 19—pardon me--”
84	21	Change “the” to “that”
84	23-24	Delete “on January 16th—sorry,”
85	5	Add commas after “son” and “Hunter”
85	7-8	Add quotation marks around “U.S. officials ... it over.”

85	6	Add “the” before “Ukrainians”
85	7	Change “Kyiv” to “Kiev”
85	23	Change “Kyiv” to “Kiev”
126	3	Insert “the” before “Slovak”
128	10	Insert a quotation mark before “Treasury”
128	11	Delete “Efforts” and insert “Actors”
128	12-16	Delete
128	20	Replace “pursue” with “pursues”
128	25	Change “states from” to “states, “From”
129	3	Capitalize the first letters of “presidential election”
129	5	Delete the comma after “States”
129	6	Capitalize the first letter of “western”
129	8	Add quotation marks after “statements.”
130	17	Delete “in transcripts”
130	23	Change “states we” to “states, “We”
130	25	Delete the comma after “West”
131	1	Insert a comma after “world”
131	3	Change “narrative, so” to “narrative to sow”
131	5	Insert a comma after “side”
131	5	Insert “of” before “politicians”; add quotation marks after “Moscow.”
134	7-8	Replace “my first question, substantive question in this interview,” with “my prior question”
134	18	Change “a” to “the”
139	25	Insert “those” before “into”

- Finance Minority
  - None
- Counsel

Page	Line	Correction
9		Typo "joint" should be "join"
13		Typo "think" should be "thing"
16	23	"open" should be "opened"
16	24	"advance" should be "advanced"
17	22	Period after "office." Capital "So.

18	14	"Foreign Service" should be capitalized
19	18	"Deputy Director" should be capitalized
19	21	"Director" should be capitalized
19	22	Remove "that was"
19	25	"Deputy Chief of Mission" should be capitalized
20	2	"Deputy Chief of Mission" should be capitalized
21	25	Typo 2013 should be 2014 (if I said "2013" it was a mistake)
21	24	"Much" should be "many"
30	4	"Publicly" should be "public"
31		Missing "think" and "Had" should be "Have"
36	17	"Fired" should be "hired"
38	7	Add "not" before "normally"
43	21	"Perform" should be "reform"
46	1	"Believers" should be "levers"
53	3	"Slight" should be "light"
54	21	"Donbass" should be "Donbas"
59	9	"Pristine" should be "Pristina"
59	21	Add "a" before "couple years"
61	5	Delete "and"
62	13	"You" should be "he"
103	16	b (this is an important meaning change to be fixed)
133	24	"In border" should be "of borders"

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UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

- - - - -x

INTERVIEW OF: :

AMOS HOCHSTEIN :

:

- - - - -x

Room SD-342 and via Webex  
Dirksen Senate Office Building  
Washington, D.C.  
Thursday, September 17, 2020  
10:03 a.m.

INTERVIEW OF AMOS HOCHSTEIN

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2 For the Witness:

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4 RICHARD BEN-VENISTE, ESQUIRE

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8

9 For Senator Johnson:

10 JOSEPH C. FOLIO, III, Chief Counsel, HSGAC

11 SCOTT WITTMANN, Senior Professional Staff Member, HSGAC

12 BRIAN DOWNEY, Senior Investigator, HSGAC

13 LYDIA WESTLAKE, Senior Advisor, HSGAC

14 SARAH SMERLING, Professional Staff Member, HSGAC

15 WILLIAM SACRIPANTI, Professional Staff Member, HSGAC

16

17 For Senator Grassley:

18 JOSHUA FLYNN-BROWN, Deputy Chief Investigative Counsel,

19 Finance Committee

20 QUINTON BRADY, Investigative Counsel, Finance Committee

21

22

23

24

25

1 APPEARANCES (Cont.)

2

3 For Senator Peters:

4 ZACHARY SCHRAM, Minority Chief Counsel, HSGAC

5 ROY AWABDEH, Minority Senior Counsel, HSGAC

6 SOUMYALATHA DAYANANDA, Minority Senior Investigative

7 Counsel, HSGAC

8 VALERIE SHEN, Investigative Counsel, HSGAC

9

10 For Senator Wyden:

11 DAVID BERICK, Minority Chief Investigator, Finance

12 Committee

13 DAN GOSHORN, Minority Senior Counsel, Finance Committee

14 JOSH HEATH, Minority Investigator, Finance Committee

15 MICHAEL OSBORN-GROSSO, Minority Investigator, Finance

16 Committee

17

18 For the Department of State:

19 WILLIAM K. KILLION

20 Bureau of Legislative Affairs

21

22

23

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1	HOCHSTEIN MAJORITY EXHIBITS	MARKED
2	1) Opening Statement of Joshua Flynn-Brown, 09/17/20	6
3	2) Email, Hochstein to Nakagawa, 07/09/14	30
4	3) Email, Hochstein to redacted, 11/02/15	34
5	4) New Yorker article, 07/01/19	115
6	5) Email, redacted to Hochstein, 03/22/16	130
7	6) Letter, various Senators to Obama, 06/27/14	164
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9	HOCHSTEIN MINORITY EXHIBITS	MARKED
10	A) Email, Pyatt to Bedingfield, et al, 12/06/15	65
11	B) Letter, Senate Ukraine Caucus to Poroshenko, 02/12/16	81
12	C) Letter, Grassley and Johnson to Barr, 09/27/19	84
13	D) News Article from the Hill, 10/03/19	148
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1 P R O C E E D I N G S

2 MR. FOLIO: Good morning. This is a transcribed  
3 interview of Amos Hochstein conducted by the Senate  
4 Committee on Homeland Security and Governmental Affairs and  
5 the Senate Committee on Finance. This interview was  
6 requested by Chairman Ron Johnson and Chairman Charles  
7 Grassley as part of the Committees' investigation of whether  
8 there were any actual or apparent conflicts of interest or  
9 any other wrongdoing with regard to the Obama  
10 administration's Ukraine policy or Burisma Holdings as well  
11 as related matters.

12 On December 18, 2019, Chairmen Grassley and Johnson  
13 requested Mr. Hochstein's appearance for a voluntary  
14 transcribed interview and certain categories of documents.  
15 In response, Mr. Hochstein through counsel notified the  
16 Committees that there were no responsive documents for the  
17 requested materials.

18 Mr. Hochstein, can you please state your name for the  
19 record?

20 MR. HOCHSTEIN: Amos Hochstein.

21 MR. FOLIO: Good morning, Mr. Hochstein. My name is  
22 Joseph Folio, and I am Chief Counsel for the Homeland  
23 Security and Governmental Affairs Committee. I will first  
24 introduce Chairman Johnson's staff in the room with me  
25 today. Then I will ask staff for the additional members

1 participating in the interview to introduce themselves.

2       So for Chairman Johnson, in addition to myself, I am  
3 joined in the room by Scott Wittmann, Brian Downey, Sarah  
4 Smerling, and Will Sacripanti.

5       I will ask Chairman Grassley's staff to introduce  
6 themselves.

7       MR. BRADY: Hello, Mr. Hochstein. I'm Quinton Brady.  
8 I am an Investigative Counsel for Senator Grassley. I will  
9 be joined by my colleague who is Deputy Chief Oversight  
10 Counsel Joshua Flynn-Brown. He is currently with Senator  
11 Grassley right now, and so at this point I'd like to  
12 introduce Senator Grassley's opening statement as Exhibit 1.

13                               [Hochstein Exhibit No. 1 was  
14                               marked for identification.]

15       MR. BRADY: Thank you.

16       MR. FOLIO: Thank you, Quinton.  
17       Ranking Member Peters' staff?

18       MR. SCHRAM: Good morning, Mr. Hochstein. My name is  
19 Zack Schram. I am Chief Counsel with Ranking Member Peters.  
20 Thank you for your participation in today's interview. The  
21 minority's participation today is not an endorsement of the  
22 investigation. This investigation advances a Russian  
23 disinformation effort and is intended to interfere in the  
24 2020 Presidential election 47 days from today.

25       In March 2020, as Vice President Biden emerged as the

1 top Democratic contender, Chairman Johnson stated, "And if I  
2 were a Democrat primary voter, I'd want these questions  
3 satisfactorily answered before I cast my final vote."

4 Last month, in describing the investigation, Chairman  
5 Johnson said, "I would think it would certainly help Donald  
6 Trump win reelection and certainly be pretty good, I would  
7 say, evidence about not voting for Vice President Biden."

8 On August 7th, the Director of National  
9 Counterintelligence and Security Center, William Evanina,  
10 issued an unclassified assessment of foreign election  
11 threats, stating, "Russia is using a range of measures to  
12 primarily denigrate former Vice President Biden. For  
13 example, pro-Russia Ukrainian Parliamentarian Andrii Derkach  
14 is spreading claims about corruption--including through  
15 publicizing leaked phone calls--to undermine former Vice  
16 President Biden's candidacy and the Democratic Party."

17 Last week, the Treasury Department sanctioned Mr.  
18 Derkach. In a statement the Treasury Department said the  
19 following: "From at least late 2019 through mid-2020,  
20 Derkach waged a covert influence campaign centered on  
21 cultivating false and unsubstantiated narratives concerning  
22 U.S. officials in the upcoming 2020 Presidential election,  
23 spurring corruption investigations in both Ukraine and the  
24 United States designed to culminate prior to election day.  
25 Derkach's unsubstantiated narratives were pushed in Western

1 media through the coverage of press conferences and other  
2 news events, including interviews and statements. Between  
3 May and July 2020, Derkach released edited audiotapes and  
4 other unsupported information with the intent to discredit  
5 U.S. officials, and he levied unsubstantiated allegations  
6 against U.S. and international political figures. Derkach  
7 almost certainly targeted the U.S. voting populace,  
8 prominent U.S. persons, and members of the U.S. Government  
9 based on his reliance on U.S. platforms, English language  
10 documents, and videos and pro-Russian lobbyists in the  
11 United States used to propagate his claims."

12         The Chairmen's investigation has provided the  
13 committees as a platform to amplify the Russian attack on  
14 our election described by the Treasury Department and Mr.  
15 Evanina.

16         I would also note we are conducting this interview  
17 remotely because we are in the midst of a pandemic that has  
18 created an extraordinary public health crisis in the United  
19 States. Since this investigation started, nearly 200,000  
20 Americans have died of COVID. The Homeland Security and  
21 Governmental Affairs Committee has jurisdiction over  
22 pandemic preparedness and response, and yet this Committee  
23 has now spent more than twice as much time on the record in  
24 this investigation than it has devoted to all of its COVID  
25 hearings combined.

1           As Chairman Johnson told a radio host on August 12th,  
2 "Whether I'm in D.C. or not, I'm working on this almost  
3 nonstop. Okay? So is my staff."

4           Ranking Member Peters believes that this investigation  
5 is a misuse of Committee resources that does not advance the  
6 health, safety, or economic security of Americans consistent  
7 with our Committee's mission. Minority staff have a right  
8 and responsibility to be here, and we will do our best to  
9 ensure that you are treated fairly, that the record is  
10 accurate and complete, and that the national security  
11 interest of the United States is protected.

12           I am joined by my colleagues Soumya Dayananda, Roy  
13 Awabdeh, and Valerie Shen.

14           MR. FOLIO: In response to the opening statement by  
15 Ranking Member Peters' staff, I'll just note three things.

16           Any assertion that the investigation is used or is not  
17 based on [inaudible] information is simply not based in any  
18 fact, not one fact. And whether it's said 3 times or 300  
19 times, that doesn't make it true.

20           What we are here to investigate is the undisputed facts  
21 of the position that Hunter Biden took on the board of  
22 Burisma at the time that his father was the U.S. head of  
23 Ukraine policy and what conflicts, if any, that created for  
24 U.S. Ukraine policy, which goes to the heart of the Homeland  
25 Security and Governmental Affairs jurisdiction.

1           And, furthermore, I think I looked the other day, and  
2 the Committee has held at least six if not seven hearings on  
3 COVID, and I can't speak for how much work Ranking Member  
4 Peters does in the background, but I know Chairman Johnson  
5 has several dozen staff, and we work tirelessly on that day  
6 in and day out.

7           Ranking Member Wyden's staff?

8           MR. BERICK: Hi, this is Dave Berick. I'm the Chief  
9 Investigator for the Democratic staff on the Finance  
10 Committee. I'm accompanied this morning by Josh Heath,  
11 Michael Osborn-Grosso, and Dan Goshorn. We associate  
12 ourselves with the remarks that Mr. Schram gave, and the  
13 Senator has made public statements on this.

14          Thank you.

15          MR. FOLIO: Thank you, Dave.

16          Would the State Department officials on the line please  
17 introduce themselves?

18          MR. KILLION: Bill Killion, Legislative Affairs.

19          MR. FOLIO: Thank you, Bill.

20          MR. KRAMER: Joe, before we get going, could I clarify  
21 one thing? I wasn't sure if there was an opening statement  
22 offered on behalf of Senator Grassley. We obviously didn't  
23 hear anything. Was there some sort of piece of paper put  
24 into the record here?

25          MR. FOLIO: There was. Quinton Brady offered an

1 opening statement by Senator Grassley and introduced it as  
2 Exhibit 1 into the record. And I think [inaudible] just  
3 gave me a heads up that it was emailed.

4 MR. KRAMER: Okay. So it's on the way to my email  
5 account?

6 MR. FOLIO: That's my understanding, yes.

7 MR. KRAMER: Okay. Thank you.

8 MR. SCHRAM: So has the minority staff been copied on  
9 that email?

10 MR. FOLIO: Yes.

11 MR. SCHRAM: Thank you.

12 MR. KRAMER: And just for the record, as of now I  
13 haven't received it.

14 MR. FOLIO: I think it's being composed and sent right  
15 now. And just to clarify, it was the opening statement by  
16 Chairman Grassley's--Joshua Flynn-Brown, his Chief  
17 Investigative Counsel.

18 MR. KRAMER: Understood. And, obviously, we reserve  
19 the right to respond to it once we have a chance to read it.

20 MR. FOLIO: Yeah, and just to provide a sneak preview,  
21 I think it's more so addressed at the opening statement of  
22 Mr. Schram.

23 I'll now explain how the interview will proceed. The  
24 Federal Rules of Civil Procedure do not apply to any of the  
25 Committees' investigative activities, including transcribed

1 interviews.

2       The way questioning will proceed is that we will  
3 alternate between the majority and minority staff for 1 hour  
4 each. The majority staff will begin, proceed for 1 hour,  
5 and the minority staff will then have an hour to ask its own  
6 questions. Then we will rotate back and forth until there  
7 are no more questions and the interview will be over.

8       During the interview we will do our best to limit the  
9 number of people who are directing questions at you during  
10 any give hour. That said, from time to time a follow-up or  
11 clarifying question may be helpful. And so if that's true,  
12 you may hear from other folks around the virtual table.  
13 Because we are virtual, I'm going to ask everyone to please  
14 speak up, take your time, and try not to speak over others.

15       The court reporter is going to create a verbatim record  
16 of what we discuss today. With that in mind, Mr. Hochstein,  
17 it's important that you respond to questions verbally. The  
18 reporter cannot record nonverbal responses such as gestures.  
19 Do you understand that?

20       MR. HOCHSTEIN: Yes.

21       MR. FOLIO: We encourage witnesses that appear before  
22 the Committee to freely consult with counsel. Mr.  
23 Hochstein, do you have counsel present with you today?

24       MR. HOCHSTEIN: I do.

25       MR. FOLIO: And, counsel, can you please state your

1 name for the record?

2 MR. KRAMER: My name is Kelly Kramer. I'm joined by  
3 Richard Ben-Veniste.

4 MR. FOLIO: Thank you, Kelly and Richard.

5 Mr. Hochstein, we want you to answer our questions  
6 today in the most complete and truthful manner possible, so  
7 we're going to take our time. If you have any questions or  
8 you do not understand what we're asking, please let us know  
9 and we'll be happy to repeat or clarify. Do you understand?

10 MR. HOCHSTEIN: Yes.

11 MR. FOLIO: Great. This interview is unclassified, so  
12 if any question we ask calls for a response that would  
13 implicate classified information, please state that for the  
14 record as well as any reason why you think the information  
15 is classified. And once you've done that, we would ask you  
16 to respond with as much classified information as possible.  
17 If we need to address things in a classified session, we can  
18 discuss how to do that later.

19 It's the Committees' practice to honor valid common law  
20 privilege claims as an accommodation to a witness or party  
21 when those claims are made in good faith and accompanied by  
22 sufficient explanation so the Committees can evaluate the  
23 claim. When deciding whether to honor the privilege, the  
24 Committee weighs its need for the information against any  
25 legitimate basis for withholding it.

1           This interview is occurring without prejudice to any  
2 future discussions with the Committees, and we reserve the  
3 right to request your participation in future interviews or  
4 to compel testimony.

5           Mr. Hochstein, if you need to take a break, let us  
6 know. We ordinarily will take a 5-minute break in between  
7 the 1-hour questioning session. But if you need to take a  
8 break before then or in between, just tell us.

9           Mr. Hochstein, you're required to answer questions  
10 before Congress truthfully. Do you understand that?

11          MR. HOCHSTEIN: I do.

12          MR. FOLIO: This also applies to questions posed by  
13 congressional staff in an interview, and specifically 18  
14 U.S.C. Section 1001 makes it a crime to make any materially  
15 false, fictitious, or fraudulent statement or representation  
16 in the course of a congressional investigation, and this  
17 statute applies to your statements here today. Do you  
18 understand that?

19          MR. HOCHSTEIN: I do.

20          MR. FOLIO: Is there any reason, Mr. Hochstein, that  
21 you are unable to provide truthful answers to the questions  
22 we ask today?

23          MR. HOCHSTEIN: I don't believe so.

24          MR. FOLIO: Finally, Mr. Hochstein, we ask that you not  
25 speak with anyone about what we discuss in this interview or

1 anyone else outside of the room in order to preserve the  
2 integrity of our investigation, and we also ask that you not  
3 remove any exhibits or other documents from this virtual  
4 room. Do you understand and agree?

5 MR. KRAMER: Yeah, we don't agree to that.

6 MR. FOLIO: What is your problem with that?

7 MR. KRAMER: This isn't grand jury testimony. Mr.  
8 Hochstein has a First Amendment right to express himself and  
9 to say anything he wants about the process.

10 MR. FOLIO: Just to be clear, you have those same  
11 rights in a grand jury.

12 MR. KRAMER: I understand that. [Inaudible] the press  
13 conference on the steps of the grand jury, as you well know,  
14 after testifying.

15 MR. FOLIO: I do. I just want to be clear that you're  
16 reserving the right to do that. Again, our point is simply  
17 that, you know, speaking about what we talk about today  
18 outside of the interview is something that we're asking you  
19 not to do, and the purpose is to protect the integrity of  
20 our investigation. For example, if you were to tell other  
21 people what you were testifying to, and then we were to  
22 speak to those people as witness subjects, we'd be very  
23 concerned about the integrity of our investigation and the  
24 purpose for which you'd be speaking to other witnesses and  
25 why you'd be telling them that or telling things to the

1 press. But I addressed, you addressed it.

2 MR. KRAMER: Yeah, just to be clear, Mr. Folio, we  
3 intend to behave appropriately at all times, but we're not  
4 willing to surrender any First Amendment rights.

5 MR. FOLIO: All right. Thanks, Kelly.

6 All right. Does anyone have any questions before we  
7 begin?

8 [No response.]

9 MR. FOLIO: Let's start the clock for the majority's 1  
10 hour.

11 Mr. Hochstein, can you please tell us what positions  
12 you held in the State Department during the Obama  
13 administration?

14 MR. HOCHSTEIN: I was the Deputy Assistant Secretary  
15 for Energy Diplomacy followed by Special Envoy and  
16 Coordinator for International Energy Affairs, and as that,  
17 the Bureau of Energy Resources reported to me.

18 MR. FOLIO: Can you please tell us the time periods  
19 that you held each of those positions?

20 MR. HOCHSTEIN: Yeah, from 2011 until 2014 I was the  
21 Deputy Assistant Secretary. From 2014 to 2017, I was the  
22 Special Envoy and Coordinator and led the Energy Resources  
23 Bureau.

24 MR. FOLIO: And for your position from 2011 to 2014, if  
25 we were staring at the State Department org chart, which

1 part of the State Department did you fall within?

2 MR. HOCHSTEIN: I was in the E family.

3 COURT REPORTER: [inaudible].

4 MR. HOCHSTEIN: I am moving the computer a little bit  
5 closer to me, so--the microphone, so hopefully this is  
6 better.

7 COURT REPORTER: [inaudible].

8 MR. HOCHSTEIN: Sorry. I'll speak up.

9 MR. FOLIO: All right. So, Mr. Hochstein, maybe one  
10 more time to be clear then. So from 2011 to 2014, can you  
11 please state your title and the place you sat on the State  
12 Department org chart?

13 MR. HOCHSTEIN: From 2011 to 2014, I was the Deputy  
14 Assistant Secretary for Energy Diplomacy in the Bureau of  
15 Energy Resources. The Bureau was part of the E section of  
16 the State Department.

17 MR. FOLIO: And what position did you hold from 2014 to  
18 2017?

19 MR. HOCHSTEIN: I was the Special Envoy and Coordinator  
20 for International Energy Affairs, and as such I led the  
21 Bureau of Energy Resources.

22 MR. FOLIO: And when you were in the Bureau of Energy  
23 Resources, to whom did you report?

24 MR. HOCHSTEIN: When I was the Deputy Assistant  
25 Secretary, I reported to the Special Envoy Carlos Pascual.

1 When I was the Special Envoy, I worked through the E family  
2 of rows, the Under Secretary for Economic Affairs, but as  
3 customary in the State Department, I reported directly to  
4 the Secretary.

5 MR. FOLIO: And at that time, 2014 to 2017, who was the  
6 Under Secretary?

7 MR. HOCHSTEIN: Cathy Novelli.

8 MR. FOLIO: So can you just explain, potentially  
9 disaggregate your reporting structure? So you were under  
10 Ms. Novelli, but you also reported directly to the  
11 Secretary? How would that occur in practice?

12 MR. HOCHSTEIN: Assistant Secretaries with the State  
13 Department by custom reported--have a reporting line  
14 directly to the Secretary. That means that we write--we can  
15 write notes and report directly to the Secretary without  
16 going through the Under Secretary. However, we stayed in  
17 close coordination with the Under Secretary.

18 MR. FOLIO: So to whom did you report most frequently?

19 MR. HOCHSTEIN: To the Secretary.

20 MR. FOLIO: What was your relationship with the Office  
21 of the Vice President?

22 MR. HOCHSTEIN: The Vice President had taken an  
23 interest in and a lead role in some areas that related to  
24 energy security and international energy affairs. When he  
25 asked for things and was interested in understanding more of

1 the subject or wanted to--or had travel related to the  
2 subject, I was asked to brief him and accompany him on  
3 trips.

4 MR. FOLIO: Can you please describe in a little more  
5 detail the Vice President's interest and lead role in energy  
6 security issues at that time?

7 MR. HOCHSTEIN: Well, there were a number of areas  
8 around the world where energy played a critical role in  
9 foreign policy and national security that the Vice President  
10 had taken a lead role on, areas such as the Eastern  
11 Mediterranean where we were working to ensure that  
12 [inaudible] discovered, sorry Israel and Cyprus were used to  
13 further U.S. goals, or in Europe where Russia at the time  
14 was posing a real danger and a threat to certain European  
15 countries, trying to leverage their energy resources  
16 delivered and their monopoly status or near-monopoly status  
17 in those countries or to leverage that to threaten those  
18 countries and to divide Europe, to push them towards  
19 supporting Russian activities.

20 The Vice President also took a lead role in areas in  
21 the Caribbean and Central America. Venezuela was using a  
22 similar tactic to use their corrupt practices to influence  
23 countries in the Caribbean and Central America to vote and  
24 act against U.S. foreign policy interests. I was asked to  
25 [inaudible] that area as well. And after the Maidan, we

1 were seeking to root out corruption. Energy was an area  
2 that [inaudible] corruption in Europe, in Eastern Europe, so  
3 I was asked to help in rooting out the corruption in the  
4 energy sector.

5 MR. KRAMER: And, Joe, I'm going to just suggest to  
6 Amos, for the court reporter's benefit, if you could just  
7 try to slow down just a little bit on answers, I think it  
8 would probably make life easier for her.

9 MR. HOCHSTEIN: My apologies.

10 MR. FOLIO: I think if you have to tell Amos that, you  
11 probably need to tell me that as well.

12 Who were your points of contact in the Office of the  
13 Vice President?

14 MR. HOCHSTEIN: Over the years there were different  
15 people as they were [inaudible] staff and depending on what  
16 the subject was. I had dealt with his National Security  
17 Adviser and Deputy National Security Adviser, his lead  
18 points on the different regions. So in Europe, the Europe  
19 region lead, the Latin America lead, Middle East leads, et  
20 cetera.

21 MR. FOLIO: Can you please just identify those folks by  
22 name? Who was his National Security Adviser?

23 MR. HOCHSTEIN: Jake Sullivan, Colin Kahl, Jeff  
24 Prescott, Eli --

25 MR. FOLIO: Would you mind just tying the folks with

1 their titles, just so the record is clear?

2 MR. HOCHSTEIN: My apologies. National Security  
3 Adviser for a short period of time was Jake Sullivan. His  
4 successor was Colin Kahl. Their Deputies were Jeffrey  
5 Prescott, Eli Lake, and then there were points of contact  
6 for Europe, Michael Carpenter, and Anna Makanju, Juan  
7 Gonzalez, and Dan Erikson were the points of contact for  
8 Central America; and the Middle East--I forget--Dan Benaim  
9 for a short period of time, and I forget his successor's  
10 name.

11 MR. KRAMER: Joe, could I interrupt for just one  
12 second? We're just having a technical thing here. I'm just  
13 going to turn some of these things off.

14 MR. FOLIO: Sure. It's been a little clearer for me  
15 since you asked him to move closer to the microphone, but  
16 some of the names from my perspective were a little hard to  
17 hear.

18 MR. KRAMER: We could dial in from the phone instead of  
19 using the computer audio. Would you like that?

20 MR. FOLIO: Let me ask. I feel like that might be more  
21 trouble.

22 [Pause.]

23 MR. FOLIO: Hey, Kelly?

24 MR. KRAMER: Yes?

25 MR. FOLIO: We might want to give that a try. So

1 obviously, just keep [inaudible] video perspective, and then  
2 the two things that you would need to do, if you call in  
3 from a conference phone, is you would not only need to mute-  
4 -with a mute button, but if you go to audio-video,  
5 [inaudible] second down, speaker and microphone settings,  
6 you probably need to turn those to zero, and I think that  
7 should kill the feedback.

8 MR. KRAMER: Just give us a second to sort of regroup  
9 in the room.

10 [Pause.]

11 MR. HOCHSTEIN: I can repeat the names, and I'll go  
12 slowly, and interrupt me, Mr. Folio, if that's what you want  
13 me to do.

14 MR. FOLIO: Yeah, I think would be helpful. That's  
15 great, thank you.

16 MR. HOCHSTEIN: The national security advisors were  
17 Jake Sullivan for a short time, and Colin Kahl. Their  
18 Deputy, Jeffrey Prescott and Eli Lake. The point people for  
19 Europe at different times were--actually, the first person,  
20 she left in, I don't remember when. There was somebody  
21 before Michael Carpenter, and when she departed it was Anna  
22 Makanju. On Central America and South America it was Juan  
23 Gonzalez and then Erikson, followed by Dan Benaim. I think  
24 in Middle East it was Dan Benaim followed by Mustafa Popal,  
25 I think. Don't hold me to that name. And then different

1 communications people that were occasionally in touch, were  
2 on trips.

3 MR. FOLIO: Did you report directly to the Office of  
4 the Vice President?

5 MR. HOCHSTEIN: The Vice President of the United  
6 States, ultimately if I was asked to brief him, and if he  
7 asked for me to accompany. But my reporting structure was  
8 always the [inaudible] Department.

9 MR. FOLIO: Sure. I know formally. But I guess in  
10 practice it sounds like if they asked for something you  
11 would provide it.

12 MR. HOCHSTEIN: Yes. As I [inaudible] other officials  
13 at the rank of [inaudible], et cetera.

14 MR. FOLIO: Sure, no, I understand. And when you did  
15 that, was that something that you ever coordinated through  
16 Ms. Novelli or through the Secretary, or was it just more of  
17 an, in practice, they would ask questions and you would  
18 provide informational briefings?

19 MR. HOCHSTEIN: I don't believe that I would brief Ms.  
20 Novelli on that. The Secretary was working closely with the  
21 Vice President, on occasion, on what was going on, and were  
22 his staff.

23 MR. FOLIO: And could you please provide us with some  
24 sense of the frequency with which you were interacting with  
25 the Office of the Vice President, either the Vice President

1 or his staff?

2 MR. HOCHSTEIN: I'm not sure that I can answer that  
3 question.

4 MR. FOLIO: Were you speaking with them daily?

5 MR. HOCHSTEIN: No.

6 MR. FOLIO: Weekly?

7 MR. HOCHSTEIN: Some weeks, weekly. Sometimes  
8 [inaudible] or every other week. It was really depending on  
9 the intensity that were engaged in. So it could be a while  
10 where we didn't speak at all, and there would be times where  
11 more on a daily basis.

12 MR. FOLIO: Did your reporting structure, either  
13 formally or informally, ever include Victoria Nuland?

14 MR. HOCHSTEIN: I did not report to Victoria Nuland.  
15 She was my counterpart at the Bureau and we worked very  
16 closely together.

17 MR. FOLIO: And can you describe the issues on which  
18 you worked very closely together?

19 MR. HOCHSTEIN: She was the Assistant Secretary for  
20 Europe, so really all things that had to do with Europe. So  
21 whether it was--we did a lot of work together on the Cyprus  
22 question, in Turkey, Eastern Europe, for a while in Bulgaria  
23 and Croatia. There was a dispute between Hungary and  
24 Croatia that I worked very closely on matters related to  
25 Ukraine, other matters related to Russia's activities in

1 Europe and Azerbaijan. So wherever that energy related to  
2 national security in Europe, foreign areas that Europe cared  
3 about, including in the counter-ISIL efforts and ISIL,  
4 taking away their revenues from oil and gas. We worked  
5 together in the involvement of Turkey.

6 MR. FOLIO: So with regard to U.S.-Ukraine policy, what  
7 were your roles and responsibilities?

8 MR. HOCHSTEIN: Well, just as in any other country, my  
9 role was to look at what the energy--how energy played  
10 within the U.S. relationship with the country. That was  
11 before the Maidan, but intensified after that time. Ukraine  
12 is a critical country for the rest of Europe, because the  
13 way that the system works, because of the Cold War  
14 infrastructure legacy, all gas from Russia that fed Eastern  
15 Europe went through Ukraine. Well, most of it went through  
16 Ukraine and some went through Belarus. So the two  
17 pipelines, these massive pipelines through Ukraine, are the  
18 artery through which Russia supplied gas to at least  
19 Ukraine. That was a route that the Russians, in the past,  
20 on different occasions, had cut off in order to punish  
21 Europe, when the Baltics were declaring independence and  
22 again in '08, and then again in 2014.

23 So my job was to do a few things. One, to ensure that  
24 the security of supply for the rest of Europe was  
25 maintained, and when that was threatened in [inaudible] we

1 did so successfully, through the reverse flows from Europe  
2 into Ukraine, to ensure that Ukraine itself had a supply of  
3 gas so that they didn't freeze in the winter. Gas is used  
4 in Europe largely for heating and less so for [inaudible].  
5 And after the Maidan, when corruption was such a huge issue,  
6 I was asked to look in the energy sector and see what we  
7 could do to reform it and to help the new Ukrainian  
8 government, the reformists, to help them in their efforts to  
9 clean up the energy sector.

10 MR. FOLIO: So with regard to particular issues that  
11 would arise in Ukraine in a given moment, if you were  
12 working on the issue, for example or hypothetically, who  
13 were your primary points of contact? Who were you working  
14 with to resolve those issues at State or in the White House?

15 MR. HOCHSTEIN: So I would work very closely with--we  
16 worked very closely with the Europe Bureau, European Affairs  
17 Bureau, Victoria Nuland, and my staff would work with staff  
18 on that, coordinate, inform the Secretary of State who was  
19 having a lot of meetings with heads of state, and inform  
20 people at the NSC, as well as the Europe people at the NSC,  
21 as well as the Vice President's National Security staff.

22 MR. FOLIO: We're a little familiar with the  
23 interagency process as it was being right at that time.  
24 Could you just provide us with a sort of brief, high-level  
25 description of what was the interagency process and also

1 where did you fit into that process?

2 MR. KRAMER: And just to be clear, when you say "at  
3 that time," were you talking post Maidan? Is that the--

4 MR. FOLIO: Yeah, in the 2014 to 2017 period.

5 MR. HOCHSTEIN: Okay. So there were structures at the  
6 NSC that coordinated the different agencies. There was,  
7 what was called at the time an IPC that was--my staff  
8 participated in, that had different agencies as well as NSC  
9 and OBP participated in that as well. And then there was a  
10 deputies' structure, that the Deputy Secretary, or his  
11 designee, would participate in. I would often either  
12 accompany or participate with the deputies, and at times at  
13 the IPCs. That's where we reported on what was going on in  
14 the field, what we were proposing to do, and if there was no  
15 consensus this would be elevated. Different bureaus in the  
16 State Department participated in that. So when there were  
17 discussions on Ukraine writ large I would probably  
18 participate in those, but really only talk to the areas that  
19 related to the corruption on the energy side, as others  
20 would about military or intelligence areas.

21 And I would either accompany the deputy secretary if  
22 the subject was primarily in my lane, or accompany the  
23 deputy secretary or accompany somewhere else and address  
24 just those areas at the deputies' meeting or a principals'  
25 meeting.

1 MR. FOLIO: Who were your contacts at the National  
2 Security Council?

3 MR. HOCHSTEIN: Geez. At the NSC it would have been  
4 the Deputy National Security Advisor staff, but I don't  
5 remember exactly who was the Europe--oh, Kupchan, Charlie  
6 Kupchan was the senior director for Europe, for I think  
7 Russia and some countries covering Ukraine. Elizabeth  
8 Sherwood-Randall was the senior director for other parts of  
9 Europe for a while, before she became the Deputy Secretary  
10 of Energy. And [inaudible] who had changed on a regular--  
11 fairly frequently, every year there was somebody else.

12 MR. FOLIO: So within the interagency process, was Mr.  
13 Kupchan on the same level as you?

14 MR. HOCHSTEIN: I have no idea. It's not--it's apples  
15 and oranges. I was Assistant Secretary and I don't know--I  
16 don't know how to--I would talk to him--I guess from the  
17 perspective that he and I would talk frequently, and his  
18 staff would talk to my staff. So I guess you can say that.  
19 But I don't know if that's technically accurate.

20 MR. FOLIO: So I guess my point is it sounds like you  
21 have a staff, he has a staff, your staffs talk to each  
22 other. Is that correct? And then you all talked to each  
23 other.

24 MR. HOCHSTEIN: Fair enough.

25 MR. FOLIO: Did you ever speak with Elizabeth Zentos on

1 the National Security Council?

2 MR. HOCHSTEIN: No.

3 MR. FOLIO: Did you ever speak with Eric Ciaramella on  
4 the National Security Council?

5 MR. HOCHSTEIN: I may have. I don't recall.

6 MR. FOLIO: Any other individuals under Mr. Kupchan  
7 that would have been a primary point of contact for you on  
8 the National Security Council?

9 MR. HOCHSTEIN: If you said the names I may be  
10 familiar, but I can't off the top of my head.

11 MR. FOLIO: Okay. Thank you. At this point I'm going  
12 to turn the questioning over to my colleague, Mr. Scott  
13 Wittmann. Thank you.

14 MR. KRAMER: I'm sorry. Who is up next?

15 MR. HOCHSTEIN: Scott Wittmann.

16 MR. KRAMER: Scott Wittmann? Thank you.

17 MR. WITTMANN: Hi, Mr. Hochstein. Can you hear me?

18 MR. HOCHSTEIN: I can't hear you but I can't see you.  
19 Oh, there you are.

20 MR. WITTMANN: Okay. Hello. I'll make it a little  
21 louder on my end. Thank you for your time today, sir.

22 Were you aware that Hunter Biden served on Burisma's  
23 board of directors in 2014?

24 MR. HOCHSTEIN: At some point in 2014 I became aware of  
25 it, yes.

1 MR. WITTMANN: At some point, do you remember around  
2 what time in 2014?

3 MR. HOCHSTEIN: It was in the press at some point, and  
4 I don't remember. I believe it was in the spring, but I  
5 don't recall. But, you know, I don't recall specifically.

6 MR. WITTMANN: So you're saying that you became aware  
7 of it spring of 2014, because of press articles?

8 MR. HOCHSTEIN: Correct. That was how I first learned  
9 of it.

10 MR. WITTMANN: And did you engage in any conversations  
11 after learning about this, with any of your colleagues at  
12 the State Department?

13 MR. HOCHSTEIN: At the time I don't believe that I  
14 engaged in any specific conversations with my colleagues.

15 MR. WITTMANN: Did you have any particular reaction to  
16 learning this news?

17 MR. HOCHSTEIN: I don't believe so.

18 MR. WITTMANN: At that time, did it raise any  
19 particular concerns to you?

20 MR. HOCHSTEIN: No.

21 MR. WITTMANN: Okay. I want to enter into the record  
22 Exhibit No. 2. Tab 1, please, Will.

23 [Hochstein Exhibit No. 2 was  
24 marked for identification.]

25 MR. KRAMER: And Mr. Wittmann, was there a Bates number

1 or something?

2 MR. WITTMANN: Sure. Is this Kelly?

3 MR. KRAMER: Yes.

4 MR. WITTMANN: Yes. It's Bates 342 to 344.

5 MR. KRAMER: Okay. I will give it to Mr. Hochstein.

6 MR. WITTMANN: Sure, and Mr. Hochstein, it should  
7 appear on your screen as well, if you want to take a look.

8 MR. HOCHSTEIN: Yep, I can see it.

9 MR. WITTMANN: Whatever works for you.

10 On July 9, 2014, you forwarded this article to Melanie--  
11 -my apologies if I mispronounce--

12 MR. HOCHSTEIN: Nakagawa.

13 MR. WITTMANN: --Nakagawa, titled "Ukrainian employer  
14 of Joe Biden's son hires a D.C. lobbyist." In the email you  
15 wrote, "FYI, per your email re: David Leiter." Who is David  
16 Leiter?

17 MR. HOCHSTEIN: David Leiter is a lobbyist who  
18 represented Burisma for a while, I believe.

19 MR. WITTMANN: And how did you become aware of Mr.  
20 Leiter's representation of Burisma?

21 MR. HOCHSTEIN: I think it's in the article that you  
22 just forwarded to me.

23 MR. WITTMANN: I'm sorry. Say that last part again.

24 MR. HOCHSTEIN: It's in the article on the screen.

25 MR. WITTMANN: Understood. When you wrote to Ms.

1 Nakagawa you said "per your email about Mr. Leiter." Did  
2 you have a discussion with Ms. Nakagawa about Mr. Leiter  
3 prior to receiving this article?

4 MR. HOCHSTEIN: It sure seems that way, but I can't  
5 recall it. David Leiter was mentioned in this article. I  
6 may have mentioned the article to her, but I really have no  
7 idea.

8 MR. WITTMANN: Is there a reason why Mr. Leiter would  
9 have come up in a discussion at the State Department, other  
10 than flagging this particular article?

11 MR. HOCHSTEIN: I don't know.

12 MR. WITTMANN: Outside of his representation, Mr.  
13 Leiter's representation of Burisma, did you know of Mr.  
14 Leiter in any other way besides that?

15 MR. HOCHSTEIN: Yeah. I had met him a couple of times  
16 in the past before I was at the State Department. I knew  
17 who he was.

18 MR. WITTMANN: And prior to his representation of  
19 Burisma, what sort of professional relationship or  
20 interactions did you have with Mr. Leiter?

21 MR. HOCHSTEIN: I really didn't. I knew who he was. I  
22 believe he knew who I was. We had some mutual contacts.  
23 And I may have had some casual conversations at a reception  
24 with him but not much beyond that. I didn't really have a  
25 relationship per se.

1 MR. WITTMANN: Why was it important for you to share  
2 this article about Mr. Leiter?

3 MR. HOCHSTEIN: This is--I don't know the answer. This  
4 is obviously six years ago. I really don't--I don't recall  
5 this conversation.

6 MR. WITTMANN: Prior to joining or representing  
7 Burisma, what roles did Mr. Leiter have, based on your  
8 knowledge?

9 MR. HOCHSTEIN: I believe he was a senior staff or  
10 maybe even chief of staff to Senator Kerry.

11 MR. WITTMANN: What was your reaction to this article?

12 MR. HOCHSTEIN: I probably raised an eyebrow that they  
13 had a lobbyist, but I don't know that I had much more of a  
14 reaction than that.

15 MR. KRAMER: So just to be clear, when they asked you  
16 your reaction and your answer is "I probably," it sounds  
17 like you may not remember a reaction at all. So try to just  
18 stick with the question and not go beyond.

19 MR. HOCHSTEIN: Well, I don't remember what my specific  
20 reaction was.

21 MR. WITTMANN: Okay. Did you make the connection at  
22 the time that Mr. Leiter was joining the same firm that  
23 Hunter Biden was also a member of the board?

24 MR. HOCHSTEIN: I mean, it's in the title of the  
25 article. But I can tell you I don't know what my specific

1 thoughts were at the time.

2 MR. WITTMANN: Okay. On the second page of this  
3 article, or I should say of this email chain, which is the  
4 second page of the article, in the second paragraph it  
5 mentions Mr. Devon Archer and also Mr. Christopher Heinz.  
6 Do you know who Devon Archer is?

7 MR. HOCHSTEIN: I do not. Only from press reports.

8 MR. WITTMANN: Okay. And Mr. Heinz?

9 MR. HOCHSTEIN: I have never met Mr. Heinz.

10 MR. WITTMANN: Were you aware of any business dealings  
11 involving Hunter Biden, Devon Archer, and Chris Heinz?

12 MR. HOCHSTEIN: No.

13 MR. WITTMANN: Outside of what's mentioned in this  
14 article?

15 MR. HOCHSTEIN: I've read articles about these  
16 individuals but I have no independent knowledge of any of  
17 that.

18 MR. WITTMANN: I'm going to enter into the record  
19 Exhibit No. 3. Tab 2, please, Will.

20 [Hochstein Exhibit No. 3 was  
21 marked for identification.]

22 MR. WITTMANN: And, Mr Kramer, this is Bates number  
23 316.

24 MR. KRAMER: And Mr. Hochstein has a copy of that.

25 MR. HOCHSTEIN: Yep, I see it.

1 MR. WITTMANN: Okay, great. On November 2, 2015, it  
2 appears you agreed to arrange a meeting with Mr. Hunter  
3 Biden based on this email. Does that refresh your  
4 recollection?

5 MR. KRAMER: Yeah, I wouldn't--I don't think that I'd  
6 accept that characterization, but you can ask him anything  
7 you like.

8 MR. HOCHSTEIN: I can see the email, and it says here  
9 that Hunter Biden called my office--or his office, sorry,  
10 asked for a meeting with me on a Friday, and I agreed to the  
11 meeting.

12 MR. WITTMANN: Okay. Why did you agree to meet with  
13 Hunter Biden?

14 MR. HOCHSTEIN: He asked me for a meeting, and it  
15 didn't--I don't--I don't know exactly why at the time I  
16 agreed to meet, but I agreed to meetings.

17 MR. WITTMANN: Sure. Did you frequently meet with  
18 Hunter Biden?

19 MR. HOCHSTEIN: No.

20 MR. WITTMANN: Did he frequently request meetings with  
21 you?

22 MR. HOCHSTEIN: No.

23 MR. WITTMANN: Was it abnormal for him to request a  
24 meeting with you?

25 MR. HOCHSTEIN: I would say--the only thing I can

1 answer that is by saying that I believe this was the only  
2 time that he asked for a meeting.

3 MR. WITTMANN: Okay. At the time did you know him  
4 personally?

5 MR. HOCHSTEIN: I had met Hunter Biden over the years.  
6 Again, we were friends or--but I knew who he was, and we had  
7 seen each other at events.

8 MR. WITTMANN: Did you communicate with him, emails,  
9 phone calls?

10 MR. HOCHSTEIN: No, I don't believe so.

11 MR. WITTMANN: Did you and he discuss his business  
12 dealings?

13 MR. KRAMER: What do you mean by "business dealings"?

14 MR. WITTMANN: Specifically, did you and he discuss his  
15 association with Burisma?

16 MR. HOCHSTEIN: Are you asking in general?

17 MR. WITTMANN: In general or specific to this meeting.  
18 You can answer both.

19 MR. HOCHSTEIN: The only time that I can think of that  
20 we had a conversation where Burisma came up was during this  
21 meeting.

22 MR. WITTMANN: I'm--during this meeting.

23 MR. HOCHSTEIN: Yes.

24 MR. WITTMANN: Okay. So there was a meeting around  
25 this time period then?

1 MR. HOCHSTEIN: Yes.

2 MR. WITTMANN: What date did that meeting occur?

3 MR. HOCHSTEIN: I don't know. I don't remember details  
4 outside of the email that you just showed me.

5 MR. WITTMANN: Was it the purpose of this meeting for  
6 Mr. Biden to discuss Burisma with you?

7 MR. HOCHSTEIN: I don't recall if I was told what the  
8 purpose of the meeting was beyond what I see in the email  
9 here, which is generically asking for a meeting.

10 MR. WITTMANN: At this meeting did you discuss anything  
11 else other than Mr. Hunter Biden's role in Burisma?

12 MR. HOCHSTEIN: Yeah, if I recall correctly, we talked  
13 a little bit about how he was doing. It had been a tough  
14 several months on him, and I told him how worried I was  
15 about him and his father and his family. So we talked a  
16 little bit about that as well.

17 MR. WITTMANN: Do you know why Hunter Biden wanted to  
18 meet with you to discuss Burisma?

19 MR. HOCHSTEIN: He had wanted to know what my thoughts  
20 were.

21 MR. WITTMANN: Did you have thoughts about Burisma at  
22 that time?

23 MR. HOCHSTEIN: I had--yes, I did.

24 MR. WITTMANN: And what were your thoughts?

25 MR. HOCHSTEIN: At that time--this is November of 2015-

1 -we were starting to plan and think about a trip for the  
2 Vice President to Ukraine. We had been following the  
3 increase in Russian propaganda in Ukraine in Russian media--  
4 Russian language media outlets and pro-Moscow websites and  
5 so on that were trying to create all kinds of separation  
6 between U.K. and the United States, and his membership on  
7 the board of Burisma had come up in the Russian propaganda  
8 machine.

9 MR. WITTMANN: And in what way did that influence your  
10 thoughts or perspective on Burisma?

11 MR. HOCHSTEIN: That did not influence my thoughts on  
12 Burisma. But it is important to me--it was important to me  
13 to always know what the lay of the land was and to know what  
14 the--the Russians were using whatever they could whenever  
15 they could, real or fictional, and sometimes a combination,  
16 to undermine the U.S. relationship with Ukraine that had  
17 been going on. That was primarily the cause for the  
18 revolution itself in 2014. So I was following--so I  
19 wouldn't say that this influenced me on Burisma. This  
20 continued to strengthen my view that the Russians were a  
21 nefarious actor in Ukraine.

22 MR. WITTMANN: At this time did you have a personal  
23 perspective or view of Burisma?

24 MR. HOCHSTEIN: Burisma was a private energy company  
25 and one where I was involved in trying to urge the

1 Government of Ukraine, forcefully trying to urge the  
2 Government of Ukraine to cooperate with the prosecution in  
3 the U.K. against its founder or its chairman. I forget  
4 [inaudible].

5 MR. WITTMANN: Against its? I'm sorry. Say that last  
6 part again?

7 MR. HOCHSTEIN: Its Chairman, Mr. Zlochevsky.

8 MR. WITTMANN: Mr. Zlochevsky. At this time did you  
9 associate Burisma as a corrupt company?

10 MR. HOCHSTEIN: I certainly associated Burisma as  
11 having a corrupt past that I believed needed to be  
12 prosecuted.

13 MR. WITTMANN: And in what way was Burisma's past  
14 corrupt?

15 MR. HOCHSTEIN: There was an active case in the U.K.  
16 that the U.S. Government was supporting against Mr.  
17 Zlochevsky. Unfortunately, the prosecutor's office in  
18 Ukraine did not cooperate with the prosecutor's office in  
19 the U.K., and that ultimately was a driving factor in  
20 dismissing the case. So that's the actions I was referring  
21 to.

22 MR. KRAMER: Just for clarity, what prosecutor's office  
23 was that?

24 MR. HOCHSTEIN: The PGU. Mr. Shokin was the prosecutor  
25 at the time.

1 MR. WITTMANN: At the time of the U.K. case?

2 MR. HOCHSTEIN: I believe so.

3 MR. WITTMANN: And what were the years in which that  
4 case was active?

5 MR. HOCHSTEIN: I don't recall the exact years.

6 MR. WITTMANN: What were the years in which Mr. Shokin  
7 served as the prosecutor general?

8 MR. HOCHSTEIN: I don't remember his exact tenure.

9 MR. WITTMANN: And in what way was the PGO's office not  
10 cooperating with the U.K. case?

11 MR. HOCHSTEIN: Not providing documents that were  
12 requested by the U.K., and I think there was a general --  
13 again, it's been 5 years. I don't remember the details.  
14 But at the time we were concerned about the office not  
15 cooperating, and the Ambassador in Ukraine--our Ambassador  
16 and embassy were very concerned about that, as were other  
17 elements of the U.S. Government.

18 MR. WITTMANN: When were you made aware that the  
19 prosecutor's office was not cooperating with the U.K. case?

20 MR. HOCHSTEIN: I don't remember exactly when that was.  
21 You would have to--if there were documents in front of me, I  
22 would review them, but I don't remember the timing.

23 MR. WITTMANN: Do you recall a year at least?

24 MR. KRAMER: So just to help orient you, the  
25 Ambassador's speech--we talked about this issue--was in

1 September 2015.

2 MR. HOCHSTEIN: September.

3 MR. KRAMER: [Inaudible].

4 MR. HOCHSTEIN: So it would have been in the 2015--  
5 earlier in 2015, maybe late 2014.

6 MR. WITTMANN: And do you know why the prosecutors were  
7 not cooperating?

8 MR. HOCHSTEIN: I don't--I don't know for a fact why.  
9 I would go to what they were thinking. The theory of the  
10 case was that they were supporting Mr. Zlochevsky.

11 MR. WITTMANN: Why were they supporting Mr. Zlochevsky?

12 MR. HOCHSTEIN: That's a very good question.

13 MR. WITTMANN: Do you have any indication?

14 MR. HOCHSTEIN: I can only--I would only be able to  
15 tell you what was the view of the U.S. Government at the  
16 time, of different people in the U.S. Government, that he  
17 was perhaps in a relationship with the prosecutor's office.  
18 Untoward relationship.

19 MR. WITTMANN: Okay. Can you expand on that? In what  
20 was it untoward?

21 MR. HOCHSTEIN: I don't know. We just know that we  
22 wanted the Ukrainian Government to cooperate with the  
23 investigation. We wanted there to be more attention to the  
24 past activities of Mr. Zlochevsky as chairman and in the  
25 time that he had, I guess, transitioned from Minister of

1 Ecology, I believe, earlier in the 2000s, to the company,  
2 and while they had paid lip service to investigation, there  
3 wasn't an actual one.

4 MR. WITTMANN: So the view of the State Department or  
5 officials at the State Department was that the prosecutors  
6 were not cooperating--that the Ukrainian prosecutors were  
7 not cooperating with the U.K. case because of an untoward  
8 relationship with Mr. Zlochevsky. Did anyone in the State  
9 Department raise any specific allegations as to--or, I  
10 should say, were you aware of anyone in the State Department  
11 raising specific allegations relating to the reason behind  
12 why these prosecutors did not cooperate or took steps to  
13 inhibit the U.K. case?

14 MR. HOCHSTEIN: I'm sure there were State Department  
15 officials who had theories of the case. I can't recall who  
16 said what at that time.

17 MR. WITTMANN: Were you aware of State Department  
18 officials raising concerns that these prosecutors may have  
19 been bribed by Mr. Zlochevsky?

20 MR. HOCHSTEIN: I don't recall, again, exactly what  
21 people were saying. There was some law enforcement traffic  
22 on it at the time, but I can't recall exactly what that was,  
23 and I probably wouldn't be able to share in this format if I  
24 could.

25 MR. WITTMANN: Now, you mentioned law enforcement.

1 What law enforcement?

2 MR. HOCHSTEIN: Sorry. I mean there was a Justice  
3 Department official or officials that had been supporting  
4 the case in the U.K. But, again, I don't recall any  
5 specific individuals' views on--or if there was a specific  
6 view of what exact--how exactly the mechanism between Mr.  
7 Zlochevsky and the prosecutor's office. I think that--I  
8 think we all felt it was the right thing to do for the  
9 Ambassador, as the Ambassador to Ukraine, to express some of  
10 those views publicly, which I believe he did in that speech  
11 that was mentioned before.

12 MR. WITTMANN: Just so I understand, the prosecutors in  
13 the PGO's office at this time that were not cooperating and  
14 that may have had an untoward relationship with Mr.  
15 Zlochevsky, were these prosecutors, you know, sort of the  
16 low-level prosecutors? Or was this the actual prosecutor  
17 general?

18 MR. HOCHSTEIN: I think--it was my view at the time  
19 that things--when the U.S. Government and the international  
20 community--this was not just the U.S. State Department.  
21 This was a coordinated effort with European Union, U.K.  
22 Government, I believe some of the international financial  
23 institutions such as the IMF, et cetera, that were  
24 interested in this case, that when there's that much  
25 attention to it, if it's not being responded to, it's

1 probably coming from a more senior level.

2 MR. WITTMANN: Okay. So by the time you met with Mr.  
3 Hunter Biden in November 2015, this is now following  
4 Ambassador Pyatt's September 2015 speech. So at this point  
5 it appears you have the awareness of Burisma's corrupt past  
6 as well as these concerns relating to Mr. Zlochevsky, its  
7 owner. So is it fair to say that when you met with Mr.  
8 Hunter Biden, you had awareness of Burisma's corrupt past?

9 MR. HOCHSTEIN: Yeah, it was fairly well known. My  
10 views were fairly well known. I had raised this with  
11 official in Ukraine myself on a number of occasions, that  
12 past activities of Zlochevsky should be ironed out and  
13 should be prosecuted. So I think people knew what my  
14 thoughts were about Mr. Zlochevsky's past.

15 MR. WITTMANN: So let me backtrack. Did you raise  
16 these--you said your views were well known. Your views were  
17 well known in the State Department?

18 MR. HOCHSTEIN: I think that it--yes, in the State  
19 Department, at the embassy in Kyiv, and by Ukrainian  
20 officials.

21 MR. WITTMANN: And who in the State Department would  
22 you say was aware of your views regarding Burisma's  
23 corruption?

24 MR. HOCHSTEIN: My guess is that the Ambassador in  
25 Ukraine and his team, my staff, probably other bureaus, like

1 the European Bureau. I can't say for sure who else would  
2 have known.

3 MR. WITTMANN: And how did you make your views known to  
4 those people?

5 MR. HOCHSTEIN: When I visited--well, I met with  
6 Ukrainian officials and urged them to cooperate with the  
7 investigation earlier when it was still relevant. And I did  
8 not do these meetings usually by myself, so there were  
9 usually other folks there who communicated minutes of that  
10 or general messages of that. So [inaudible].

11 MR. WITTMANN: Did you raise Burisma's corruption and  
12 your other--the other information regarding the prosecutors  
13 in Ukraine in frequent meetings at the State Department  
14 relating to your responsibilities?

15 MR. HOCHSTEIN: No. Only when--I don't know how often  
16 I raised them. And to be clear, we were looking--this was--  
17 you know, separating out, we had work to do in Ukraine that  
18 was current, and what we were trying to effect inside  
19 Ukraine was--really the bulk of the effort was not around  
20 this issue. There were much bigger, more important issues  
21 for the present into the future. This was something about  
22 clearing up the past, so prior to this period of time, there  
23 were wrongdoings in the early 2000s that were being  
24 investigated, and we thought--this wasn't a central piece of  
25 our effort. It was part of as you make strides as a young,

1 new, renewed country after revolution and you want to come  
2 to terms with your past, part of it is when there are cases  
3 brought--and this was not a case brought by the U.S.  
4 Government. The U.S. Government supported the case. It's  
5 important to face those and to address those. So the bulk  
6 of my time and my work was about how do we put new people in  
7 place in the key areas to encourage the Ukrainians to put in  
8 the kinds of people that have an expertise and who were  
9 clean and known to be clean. That was not always easy.  
10 Sometimes somebody who looked by resume and reputation clean  
11 got into the job and turned out to be somewhat less so. And  
12 how do we reform the system?

13       So that was the primary use of my time when it came to  
14 Ukraine. And, as well, remember that during this time the  
15 energy security of Europe was still considered to be under  
16 threat. The Russians were threatening to cut off supply.  
17 And I was supporting the Ukrainian effort in court against  
18 Russia, against Gazprom, in an arbitration in Stockholm  
19 which was very controversial at the time. And so that took  
20 up a lot of time as well, and the Nord Stream 2 pipeline,  
21 TurkStream. So there was plenty to do.

22       MR. WITTMANN: It sounds like it. Going back to what  
23 you mentioned earlier about who you raised your concerns to,  
24 you mentioned who you--at the State Department what  
25 Ukrainian officials did you articulate your concerns

1 regarding Burisma's corruption as well as your concerns with  
2 Mr. Zlochevsky?

3 MR. HOCHSTEIN: So there were probably a number. The  
4 only two that I can recall that I know that I did--and there  
5 are others that I can't recall right now--one was at the  
6 time the Deputy Energy Minister. I believe his name was  
7 Didenko. I did not trust the Energy Minister at the time.  
8 I thought he was corrupt, or suspected such, so I did not  
9 feel that it was the right thing to raise it with him. And  
10 I believe I raised it with the Foreign Minister as well.

11 MR. WITTMANN: Do you remember the Foreign Minister's  
12 name?

13 MR. HOCHSTEIN: Pavlo Klimpkin.

14 MR. WITTMANN: Klimpkin, okay.

15 MR. KRAMER: Can you spell that for the court reporter?  
16 If you can.

17 MR. HOCHSTEIN: Didenko is D as in David-I-D as in  
18 David--E-N as in Nancy-K-O. And Klimpkin is K-L-I-M as in  
19 Mary-K-I-N as in Nancy.

20 MR. WITTMANN: Thank you, Mr. Hochstein.

21 MR. HOCHSTEIN: I think.

22 [Laughter.]

23 MR. WITTMANN: Understood. Can you tell us when you  
24 raised these concerns to these two individuals? Did you  
25 raise it--well, first, did you raise it multiple times to

1 these two individuals that you specifically remember? And,  
2 second, do you remember when?

3 MR. HOCHSTEIN: Probably only a couple of times. The  
4 embassy was handling that issue rather than myself. But I  
5 did raise it a couple of times. I can't tell you much more  
6 than that. And as far a timeline, again, it's so hard to  
7 remember exact timelines. It could have been earlier in  
8 2015, but I don't remember exactly.

9 MR. WITTMANN: And in your discussions with these  
10 Ukrainian officials, did you--when you raised your concerns  
11 relating to Burisma and Zlochevsky, in those discussions did  
12 the fact that Hunter Biden was serving on Burisma's board,  
13 did that fact come up in those conversations?

14 MR. HOCHSTEIN: It never did.

15 MR. WITTMANN: And in your conversations in the State  
16 Department, did that fact come up as you raised these  
17 concerns?

18 MR. HOCHSTEIN: It never did.

19 MR. WITTMANN: Do you know why not?

20 MR. HOCHSTEIN: From my end it was irrelevant.

21 MR. WITTMANN: Was it your understanding that people at  
22 the State Department had awareness of Hunter Biden's role on  
23 Burisma's board?

24 MR. HOCHSTEIN: It was in the press, so I couldn't say  
25 more than that. It did not come up in my conversations.

1 MR. WITTMANN: Were press, news articles shared  
2 regarding Hunter Biden's role on Burisma's board shared  
3 amongst your colleagues at the State Department?

4 MR. HOCHSTEIN: I wouldn't know that. The only one  
5 that I know is the one you showed me, that one of my staff  
6 members sent it to me.

7 MR. WITTMANN: Okay. I believe there's another one  
8 that we'll get to later on.

9 MR. HOCHSTEIN: Okay.

10 MR. WITTMANN: But the point was in the press, as you  
11 said.

12 MR. HOCHSTEIN: It was.

13 MR. WITTMANN: Okay. So now I want to go back to the  
14 meeting that you had with Hunter Biden on or around November  
15 of 2015. So at this point you have awareness of Burisma and  
16 Zlochevsky. Hunter Biden wants to meet with you. I think  
17 you mentioned you didn't know why. Is that correct, when he  
18 requested the meeting?

19 MR. HOCHSTEIN: Correct.

20 MR. WITTMANN: Okay. And then you met with him, and  
21 you mentioned that you discussed Burisma. Correct?

22 MR. HOCHSTEIN: I'm sorry. Say that again?

23 MR. WITTMANN: Did you discuss Burisma with him, at  
24 this meeting?

25 MR. HOCHSTEIN: Yes.

1 MR. WITTMANN: And could you expand on that? Why did  
2 you discuss Burisma with him?

3 MR. HOCHSTEIN: Well, he asked me for a meeting. I  
4 think he wanted to know my views on Burisma and Zlochevsky.  
5 And so I shared with him that the Russians were using his  
6 name in order to sow disinformation--attempt to sow  
7 disinformation among Ukrainians.

8 MR. WITTMANN: And how did you know that Hunter Biden  
9 wanted to get your opinion about Burisma?

10 MR. HOCHSTEIN: He asked me.

11 MR. WITTMANN: He asked you at the meeting, or prior to  
12 the meeting?

13 MR. HOCHSTEIN: At the meeting.

14 MR. WITTMANN: Okay. Is it fair to say that it became  
15 clear to you at the meeting that Hunter Biden wanted to  
16 discuss Burisma with you?

17 MR. HOCHSTEIN: He asked me a question about it and  
18 [inaudible].

19 MR. WITTMANN: Did anyone else attend this meeting?

20 MR. HOCHSTEIN: No.

21 MR. WITTMANN: Did Hunter Biden explain to you why he  
22 asked--why he wanted your opinion?

23 MR. HOCHSTEIN: Yes, he did.

24 MR. WITTMANN: And what was the reason?

25 MR. HOCHSTEIN: He had heard that I had a conversation

1 with his father.

2 MR. WITTMANN: I'm sorry. Say that one--

3 MR. HOCHSTEIN: He had heard that I had a conversation  
4 with his father.

5 MR. WITTMANN: Okay. And did you have a conversation  
6 with his father about this?

7 MR. HOCHSTEIN: I did.

8 MR. WITTMANN: Okay. And when did that conversation  
9 occur?

10 MR. HOCHSTEIN: I don't remember exactly but it would  
11 have been sometime in October, thereabouts.

12 MR. WITTMANN: Where did the conversation take place?

13 MR. HOCHSTEIN: It was in the West Wing of the White  
14 House.

15 MR. WITTMANN: And how did that--this conversation that  
16 you had with Vice President Biden, how did that  
17 conversation--why did that conversation occur?

18 MR. HOCHSTEIN: We were finishing a meeting on a  
19 different issue and walking in the hall, and I had told him  
20 that it was something that I--it was a conversation while we  
21 were walking and I told him I wanted to raise something with  
22 him, for his awareness. And we had it as we were walking in  
23 the hallway, and we ducked into a corner and had a  
24 conversation.

25 MR. WITTMANN: And just to confirm, this is October

1 2015?

2 MR. HOCHSTEIN: Correct.

3 MR. WITTMANN: Okay. And what specifically did you  
4 want to raise with the Vice President at this time?

5 MR. KRAMER: And I'm going to ask a question here, that  
6 I don't have any issue with you asking questions of Mr.  
7 Hochstein as to what his purpose is, but I do not think it  
8 would be appropriate for him to have a discussion about the  
9 substance of the conversation with the Vice President. So  
10 if you want to restate that question, that would be great.

11 MR. WITTMANN: One moment, please, Kelly.

12 MR. KRAMER: Mm-hmm.

13 [Pause.]

14 MR. WITTMANN: Hi, Kelly. Thank you for raising that.  
15 So just so I'm clear with you, Mr. Hochstein, I'm asking  
16 about from your perspective and what you raised.

17 MR. KRAMER: So again, "what you raised" is  
18 problematic. If you'd like to ask Mr. Hochstein what his  
19 purpose was in raising an issue with the VP, I'm fine with  
20 [inaudible].

21 MR. WITTMANN: One moment, please.

22 [Pause.]

23 MR. FOLIO: Hi, Kelly. This is Joe. Could you please  
24 be a little more specific. What is the problem?

25 MR. KRAMER: I'm sorry. What was that?

1 MR. FOLIO: So the question to Mr. Hochstein was what  
2 did you tell the Vice President, and you said the answer to  
3 that question would be problematic. My question to you then  
4 was--

5 MR. KRAMER: I don't think I said "problematic." I  
6 said inappropriate.

7 MR. FOLIO: Inappropriate. Okay. So what did that  
8 mean?

9 MR. KRAMER: So if the question is, if you're trying to  
10 understand the substance of a conversation with the Vice  
11 President, that's not something that I think Mr. Hochstein  
12 can appropriately disclose. If you'd like to know his  
13 purpose in raising a point, that goes to his motivation and  
14 his thoughts, I'm perfectly fine with him answering that  
15 question.

16 MR. FOLIO: Why would it be inappropriate for Mr.  
17 Hochstein to answer that question? Are you asserting a  
18 privilege?

19 MR. KRAMER: I don't have a privilege to assert. It's  
20 not my privilege.

21 MR. FOLIO: I think that's right.

22 MR. KRAMER: I don't know if it's a privilege or not a  
23 privilege. But I think on the custom and practice of the  
24 current administration is that we're not going to be in a  
25 position to waive it, so isn't not an appropriate question,

1 is it?

2 MR. FOLIO: Again, are you saying you believe it a  
3 privilege to [inaudible], even if not your own?

4 MR. KRAMER: You broke up. I apologize. What did you  
5 say?

6 MR. FOLIO: So I think you've correctly acknowledged  
7 that you do not have a privilege that you can raise. So my  
8 question to you is then are you instructing Mr. Hochstein  
9 not to answer because you believe that there is a privilege  
10 that belongs to someone else?

11 MR. KRAMER: Yeah. I'm instructing Mr. Hochstein not  
12 to answer, because I don't believe it would be appropriate  
13 for him to disclose the substance and the conversation with  
14 the Vice President.

15 MR. FOLIO: Yeah, so I guess my point is,  
16 appropriateness is not proper grounds to instruct a witness  
17 not to answer. So I'm asking for something more.

18 MR. KRAMER: Yeah, and I'm instructing the witness not  
19 to answer.

20 MR. FOLIO: And again, just so we can make a record as  
21 to why you're instructing the witness not to answer.  
22 Inappropriateness is not a proper grounds to do that. Can  
23 you please be more specific?

24 MR. KRAMER: Again, I don't know if there's a privilege  
25 here. There's not a privilege here. It's not his, and I

1 want to make sure that if it's appropriate that it's  
2 preserved. And so he's not in a position to answer that  
3 question.

4 MR. FOLIO: So to be clear, you're instructing the  
5 witness not to answer because you're not sure if a  
6 privilege, for some mysterious third party, may or may not  
7 exist.

8 MR. KRAMER: I don't think there's a privilege asserted  
9 or there's not a privilege asserted. But my point is that  
10 is not his to weigh, so we will not.

11 MR. FOLIO: So the question does not implicate like any  
12 sort of policy issue, does it, right?

13 MR. KRAMER: I don't know what you mean by "some sort  
14 of policy issue." If we're talking about Russian efforts to  
15 interfere with U.S. foreign policy, it's very much a policy  
16 question.

17 MR. FOLIO: So Mr. Hochstein, the answer would  
18 implicate Russian efforts to interfere with U.S. policy?

19 MR. KRAMER: Again, I'm not in a position to waive a  
20 privilege. I'm not going to. We can debate this all day.  
21 If you guys want to use your time on this that's fine. But  
22 he will not be answering the question.

23 MR. FOLIO: Yeah, no, what we need to do is we need to  
24 create a record as to why you're instructing the witness not  
25 to answer the question. So to be clear, the question was

1 about conversations with third parties, non-governmental  
2 officials, right? So we're asking about--no, no, hold on  
3 one second, Kelly. Let me finish.

4 MR. KRAMER: Excuse me. The conversation that you're  
5 asking about is not about third-party, non-governmental  
6 officials. You're asking about a conversation with the  
7 Vice President. How is he a third party or a non-  
8 governmental official?

9 MR. FOLIO: The initial question that sparked this line  
10 was why did you want to meet and talk to Hunter Biden. He  
11 said, "Hunter Biden wanted to talk to me about"--Kelly, can  
12 I just finish?

13 MR. KRAMER: Go ahead.

14 MR. FOLIO: Thank you. And the response from Mr.  
15 Hochstein that started this line of questioning was that  
16 "Hunter Biden knew that I had a conversation with his  
17 father." And then the next question was about Mr.  
18 Hochstein's conversations with the Vice President. And now  
19 the question that's pending to Mr. Hochstein is, what did  
20 you tell the Vice President?

21 So what we're talking about, the subject matter, is  
22 conversations with his son, not with another government  
23 official, not in the development of policy. So it's hard  
24 for me to understand what privilege, if any would apply, to  
25 such a conversation. And you are pointing to a privilege, a

1 privilege that you can't identify, and now I'm pointing out  
2 that the subject matter of the conversation is about  
3 conversations with non-government employees, which take us  
4 even farther afield from anything that you are hinting at,  
5 that may or may not be, quote, "inappropriate." So I'm  
6 asking you to clarify if you have any more details as to why  
7 you're instructing the witness not to answer, because we  
8 believe that your instruction is inappropriate.

9 MR. KRAMER: We have not asserted a privilege with  
10 respect to the conversation we were having. Mr. Hochstein  
11 has answered those questions. To the extent that you are  
12 asking questions about a conversation with the Vice  
13 President, I reject your premise. This is not a  
14 conversation with a third party and not about a governmental  
15 matter. So I just--I don't even understand the  
16 characterization that you're making, Joe.

17 MR. FOLIO: The conversation is about the action of a  
18 private citizen, third party, the decision of a Vice  
19 President's son to join the board of Burisma.

20 MR. KRAMER: The conversation is not about the decision  
21 of a Vice President's son to join. You have no idea what  
22 the conversation is about. It was a conversation between  
23 Vice President and one of his advisors regarding U.S.  
24 policy. Period, full stop, he's not going to answer any  
25 questions about that.

1 MR. FOLIO: So the record provides zero indication that  
2 there's anything to do with anything related to policy and  
3 every indication that it has to do with Hunter Biden's  
4 position on the board of Burisma.

5 MR. KRAMER: Just to be clear, I offered if you wanted  
6 to build out the record that you could ask what his purpose  
7 was in raising it. We would provide the justification  
8 you're saying we have not provided. So your interruption is  
9 ill-timed and inappropriate in and of itself.

10 MR. FOLIO: No. We're just trying to make a record.  
11 That's a different version of the word "inappropriate." It  
12 does not [inaudible].

13 So we will ask that question in one second. Just so I  
14 understand who--is that a colleague of yours in the  
15 background, just so I understand, for the record?

16 MR. KRAMER: It's Mr. Ben-Veniste.

17 MR. FOLIO: Oh, sorry. I didn't see him before. Okay.  
18 So I think that the question then is to Mr. Hochstein, but  
19 what was the purpose of you having this conversation with  
20 Vice President Biden?

21 MR. KRAMER: And so, Mr. Hochstein, you can explain  
22 what the purpose was in raising the issue.

23 MR. HOCHSTEIN: We were starting to think about a trip  
24 for the Vice President to Ukraine, and I, as I stated  
25 earlier, we, the government, had seen increased traffic in

1 Russian language in pro-Moscow outlets that were trying to  
2 create some kind of rift between the U.S. and Ukraine or to  
3 undermine the U.S. efforts, and that they were using Hunter  
4 Biden's name in those articles to sow that doubt. With the  
5 Vice President traveling, we were starting to organize  
6 towards traveling, I wanted to make my boss aware of what  
7 was happening on the ground, so that he knows what the  
8 Russian effort was.

9 MR. FOLIO: Was anything raised in those articles  
10 untrue?

11 MR. HOCHSTEIN: Yes.

12 MR. FOLIO: What was untrue?

13 MR. HOCHSTEIN: The articles argued that the presence  
14 of Hunter Biden was a conflict of interest. They were  
15 trying to say that our government's efforts were  
16 hypocritical. It followed a common line of Russian  
17 propaganda, not just in Ukraine but that everything the  
18 United States does is hypocritical, in Syria, from our  
19 interventions in Eastern Europe. I was accused of hypocrisy  
20 by the same outlets when we tried to [inaudible] the supply  
21 chain. So these are the kinds. It's sort of par for the  
22 course, and I just wanted to make the Vice President aware  
23 that this effort was ongoing.

24 MR. FOLIO: Was the fact of Hunter Biden's position on  
25 Burisma's board true?

1 MR. HOCHSTEIN: Yes.

2 MR. FOLIO: Was the fact that he was paid for that  
3 position true?

4 MR. HOCHSTEIN: I don't know about his compensation.

5 MR. FOLIO: So why was it your assessment that this did  
6 not present a conflict of interest, or put another way, why  
7 was it your assessment that a claim it presented a conflict  
8 of interest untrue?

9 MR. HOCHSTEIN: I didn't have that assessment. I knew  
10 that for a fact. I was the person that was in charge of, or  
11 leading part of the anticorruption effort. Specifically, I  
12 was leading the energy sector, and I knew what I was doing  
13 and I knew that Hunter Biden's seat on the board of Burisma  
14 had nothing to do with anything I was doing and never  
15 factored into my efforts. So I can tell you with certainty  
16 that the claims were untrue.

17 MR. KRAMER: So this is a good time to take a break.  
18 It seems like we're past the hour.

19 MR. FOLIO: Yeah, we are in the middle of this  
20 questioning. I was hoping to round it out. But if it makes  
21 sense to take a break we can just pick it up when I guess we  
22 would come back and the minority would take over. It's up  
23 to you. We can do continuity or we can take a break.

24 MR. KRAMER: Let's take a five-minute break. We'll  
25 switch over and we'll go on to Round 2.

1 MR. FOLIO: All right. It's 11:30. Zack, you'll be  
2 ready to start at 11:35?

3 MR. SCHRAM: Yes.

4 [Recess.]

5 MR. SCHRAM: Mr. Hochstein, Mr. Kramer, are you ready  
6 to go back on the record?

7 MR. KRAMER: We are.

8 MR. HOCHSTEIN: I am.

9 MR. SCHRAM: On the record.

10 Mr. Hochstein, on December 18, 2019, majority counsel  
11 emailed you that the purpose of the investigation is to  
12 investigate, quote, "whether certain officials within the  
13 Obama administration had actual or apparent conflicts of  
14 interest or whether there was any other wrongdoing because  
15 of Hunter Biden's role in Rosemont Seneca and related  
16 entities and as a board member of Burisma Holdings."

17 What was your reaction when you first learned about the  
18 purpose of the Chairmen's investigation?

19 MR. HOCHSTEIN: Well, beyond surprise. Look, I think  
20 there had been a lot of propaganda over the previous year  
21 about so-called wrongdoings that were all made up. I was  
22 aware that Russia was trying to influence the U.S.  
23 elections. I was aware that those same efforts were working  
24 in concert with people that were close to the White House to  
25 besmirch the reputation and record of the Vice President in

1 any way that they could. So I guess I felt regret that I  
2 was getting pulled into an investigation that I thought was,  
3 at that time seemed very familiar and resonated with  
4 everything that had been going on, and efforts of my Russia  
5 and pro-Russian forces to take fringe allegations and put  
6 them into the mainstream.

7 MR. SCHRAM: What do you mean when you say it was  
8 "familiar"?

9 MR. HOCHSTEIN: Well, when I was in the Obama  
10 administration I worked a lot on anticorruption issues in  
11 Ukraine and elsewhere, and when I left the administration I  
12 continued to do some work on that. And so I was aware of  
13 the things like with Mr. Derkach and Ukraine was doing and  
14 some other oligarchs.

15 Ironically, many of the people who were raising some of  
16 the issues we're discussing today were the same people that  
17 we had in the Obama administration, and I participated in  
18 some of that. These are the same people that we were trying  
19 to undermine and to remove from centers of power in Ukraine,  
20 because of their either affiliation with Moscow or because  
21 of their overt corruption. And now these were the people  
22 that were--these same people were now acting, to some  
23 degree, in retribution to the people who went after them.

24 And so that's what I mean when I say "familiar." I had  
25 heard these allegations before, except that they usually

1 came from noncredible sources. I was rather disappointed  
2 and sad to see that it was coming from more mainstream, as  
3 in the United States Senate, which I hold in great regard  
4 and great esteem.

5 MR. SCHRAM: You referred to your time in the Obama  
6 administration and experiencing these efforts. Can you  
7 speak about when you first learned about Russia's efforts to  
8 tarnish the reputation of Vice President Biden because of  
9 Hunter Biden's position on the board of Burisma?

10 MR. HOCHSTEIN: So two separate timelines. One was  
11 during the time that the Vice President was trying to lead  
12 an effort to crack down on corruption in Ukraine. And I  
13 think it's important to understand that when you crack down  
14 on corruption it's not ephemeral. It's not--it has people  
15 behind it and businesses. And when you go after corruption  
16 there are people who--corrupt individuals who lose thousands  
17 and millions, tens of millions of dollars. So when you root  
18 out corruption and you fight against that machine, it's not  
19 some organ. It's a human being that wants to fight back.

20 So when we fought against the machine in 2014, right  
21 after the revolution, we were making a lot of progress. But  
22 as time went by, that same machine of individuals or network  
23 of corrupt individuals started fighting back, and that  
24 effort was--one of the tactics was to go after the chief  
25 architect of the anticorruption effort, which was Joe Biden

1 as Vice President, leading the anticorruption effort. So  
2 you go after the accuser.

3       They targeted me. There were Russian websites that,  
4 you know, attacked me. There was one article that appeared  
5 in Russia, that within 48 hours appeared on the neo-Nazi  
6 Party website in Italy and in Hungary and in Bulgaria, all  
7 within two to three days, going after the exact same article  
8 propagated across the board. So they have these efforts.

9       The second where this was happening, it came to my  
10 attention, was in 2019, I guess it was, when I learned of  
11 some of the efforts that were being done by Lutsenko and  
12 others to dig up dirt against two people. One was Masha  
13 Yovanovitch and one was Vice President Biden.

14       MR. SCHRAM: And who is Mr. Lutsenko?

15       MR. HOCHSTEIN: He was the successor to Mr. Shokin as  
16 the Prosecutor General.

17       MR. SCHRAM: In your answer you mentioned "networks of  
18 corrupt individuals," and I'm wondering if you could just be  
19 a little more specific with respect to who you're referring  
20 to.

21       MR. HOCHSTEIN: So some are in government. These are  
22 people in government, such as Lutsenko or Shokin, and  
23 ministers and deputy ministers, and energy was usually a  
24 hotbed for that. And then oligarchs who profited as leeches  
25 on the Ukrainian system. People like Mr. Firtash, who I

1 know during the Obama administration we tried to get him  
2 extradited to the United States. That extradition request  
3 is still pending. I don't believe any action has been taken  
4 on it in a while. He is sitting in Vienna. But he is still  
5 very active in the corruption business in Ukraine. Mr.  
6 Grigorishin, Kolomoyskyi, and several others, including some  
7 people inside--others in the government that I can't recall  
8 their names right now.

9 MR. SCHRAM: So focusing on the first timeline you  
10 identified, the timeline from when you were in government,  
11 I'd like to mark as Exhibit A an email exchange. It's Bates  
12 No. 325 through 332.

13 [Hochstein Exhibit A was  
14 marked for identification.]

15 MR. HOCHSTEIN: Give me one second. Is this the email  
16 chain from Mr. Pyatt, Ambassador Pyatt?

17 MR. SCHRAM: Yes. Correct.

18 MR. HOCHSTEIN: Yeah.

19 MR. SCHRAM: Give you a moment to review it?

20 MR. HOCHSTEIN: Yes, please.

21 [Pause.]

22 MR. HOCHSTEIN: Yeah.

23 MR. SCHRAM: So as you said, this is an email chain  
24 that includes Ambassador Pyatt. It begins, if you go to the  
25 very bottom, with an email on December 5th. It's at the

1 very bottom on page--Bates No. 330, from  
2 lbi@lbicompany.com.ua to Kyiv Media Alerts.

3 MR. HOCHSTEIN: Yeah. Yeah, I've got it.

4 MR. SCHRAM: And then on the 6th you were included in  
5 the email chain.

6 MR. HOCHSTEIN: Yes.

7 MR. SCHRAM: What is this email about?

8 MR. HOCHSTEIN: This is about these Russian efforts I  
9 was mentioning before to use the presence of Hunter Biden as  
10 a member of the board to sow discord and skepticism of the  
11 U.S. effort to targeting Ukrainians to believe that this was  
12 problematic and that this showed hypocrisy. This was  
13 provided in emails. Are you asking what the articles are  
14 about or what the email on the 6th was about? Sorry.

15 MR. SCHRAM: Let's take it a piece at a time. So what  
16 is the article about that's included in this email exchange?

17 MR. HOCHSTEIN: The article is about--it's a pro-  
18 Russian, pro-Moscow website that is trying to describe the  
19 anticorruption effort by the United States as cynical  
20 because of Hunter Biden's presence. The audience is not  
21 American. The audience is--it is trying to affect Ukrainian  
22 people to reject the anticorruption effort by the Biden  
23 effort, by the Biden team.

24 MR. SCHRAM: Do you regard the content of this article  
25 as disinformation?

1 MR. HOCHSTEIN: Completely.

2 MR. SCHRAM: Why?

3 MR. HOCHSTEIN: Because it is completely untrue. The  
4 U.S. Government was, in fact, engaged in concert with the  
5 World Bank, the IMF, the EBRD, the European Union, in  
6 Brussels as well as several of the member states, at the  
7 highest levels, in an anticorruption effort in Ukraine,  
8 trying to help Ukraine emerge from a multi-decades of  
9 corruption.

10 So I was asked to lead the effort on anticorruption in  
11 the energy sector, so I knew for a fact that these articles  
12 were just sowing disinformation.

13 MR. SCHRAM: Quoting from the article, was there any  
14 merit to the allegations that the Biden family would begin,  
15 quote, "a large-scale privatization in Ukraine"?

16 MR. HOCHSTEIN: No.

17 MR. SCHRAM: Or a, quote, "seizure of state  
18 enterprises"?

19 MR. HOCHSTEIN: That's laughable. No.

20 MR. SCHRAM: What would be the purpose of promoting  
21 those allegations?

22 MR. HOCHSTEIN: Sowing fear among the average Ukrainian  
23 citizen that the United States is somehow going to do things  
24 that were going to steal the assets of Ukraine and take  
25 their--that the United States was involved in an effort that

1 would ultimately harm the everyday Ukrainian in their  
2 pocketbook issues.

3 MR. SCHRAM: And why do you regard it as Russian  
4 propaganda, specifically?

5 MR. HOCHSTEIN: Because these were--the websites and  
6 the news outlets where these were published were--their  
7 affiliation is relatively known. And not only that but as  
8 the documents I think you shared, you're sharing on the  
9 screen right now, exactly, there is an actual Russian  
10 address on the website.

11 MR. SCHRAM: Why were you added to the email chain?

12 MR. HOCHSTEIN: I think this was during the trip to  
13 Ukraine, and I was on the trip. And I think that--I don't  
14 recall who added me, either the VP's staff or Ambassador  
15 Pyatt. But I was involved in these anticorruption efforts  
16 and I was on the trip.

17 MR. SCHRAM: And did you have a role in responding to  
18 the allegations in this underlying article?

19 MR. HOCHSTEIN: I mean, yeah, we had discussions on the  
20 talking points, since we knew that, or rather we thought it  
21 could come up on the trip. And later on we knew that press  
22 was asking for comments on it. So it's pretty normal for  
23 the traveling party and people involved in the subject  
24 matter to help with the preparation of the response.

25 MR. SCHRAM: In the talking points that are contained

1 as part of the response in this email, I just want to go  
2 through those briefly. The first one--if I understand this  
3 correctly, these are proposed talking points for the Vice  
4 President?

5 MR. HOCHSTEIN: These are proposed talking points for  
6 the Vice President, if he gets asked, and later if there  
7 were any other communications with media.

8 MR. SCHRAM: So the first talking point says, "My son  
9 is a private citizen. I am not going to get into discussing  
10 his personal business. It has no impact on my work." Do  
11 you regard that as accurate, that it has no impact on the  
12 work on the Vice President?

13 MR. HOCHSTEIN: I totally agree.

14 MR. SCHRAM: The second talking point: "What I will  
15 say, though, is that no one has been tougher in pushing  
16 Ukrainian leaders to root out corruption than I have." Is  
17 that accurate?

18 MR. HOCHSTEIN: A hundred percent.

19 MR. SCHRAM: "It has been my primary focus of my  
20 discussions, both publicly and privately, for years, and I  
21 think that you can see from the substance of this trip it  
22 remains a major priority for me and for the U.S.  
23 Government." Is that accurate?

24 MR. HOCHSTEIN: Yes.

25 MR. SCHRAM: "Important strides have been made. The

1 appointment of a special anticorruption prosecutor, the  
2 establishment of an independent inspector general to  
3 prosecute corrupt prosecutors are two good ones. But more  
4 needs to be done and we will continue to encourage everyone  
5 involved to commit to meeting full reforms." Is that  
6 accurate?

7 MR. HOCHSTEIN: Yes.

8 MR. SCHRAM: This article, did you--is it--were there  
9 other examples of Russian propaganda directed at the Vice  
10 President and his anticorruption efforts in Ukraine?

11 MR. HOCHSTEIN: No. I mean, look. The Russians were  
12 involved in a lot of propaganda against the Vice President  
13 on a regular basis. One line was this corruption allegation  
14 about his son. The other was that--and as mentioned, the  
15 allegation that somehow the United States or the Biden  
16 family was going to privatize and take over assets in  
17 Ukraine.

18 The second one was that Vice President Biden, through  
19 my efforts, was trying to steal gas from Ukraine, to change  
20 the flows of gas into Europe, and to cause Ukraine to pay  
21 more money, and to sell American gas to Ukraine. There were  
22 all kinds of allegations. The Hunter Biden allegation was  
23 one of a string and series of things that they would allege  
24 against his involvement, that he was trying to harm the  
25 average Ukrainian and that he did not have the benefit of

1 Ukraine as a primary source of his or the United States  
2 actions.

3 MR. SCHRAM: And is this an issue that you raised with  
4 the Vice President?

5 MR. KRAMER: Hold on. I don't think it's appropriate  
6 for Mr. Hochstein to get into any specific conversations  
7 with the Vice President. If you would like to ask him what  
8 his motivations, his purpose in raising a topic, we can do  
9 that.

10 MR. SCHRAM: I believe that's what I'm trying to do.  
11 So I'd like to ask his purpose in raising this issue with  
12 the Vice President. We have to establish that it has been  
13 raised.

14 MR. KRAMER: Yeah. So again, I mean, I think a fair  
15 question to ask would be did you have a discussion with the  
16 Vice President? Yes or no. And what was your purpose in  
17 raising this topic?

18 MR. HOCHSTEIN: Maybe I can answer it this way, Mr.  
19 Schram. Over the years of the period of time that I was  
20 working in government and was working with--sorry, for the  
21 Vice President on these issues, we had, often, as staff and  
22 State Department officials, White House officials, and the  
23 Vice President, discussed the fact that the Russians were  
24 using a variety of accusations in order to try to convince  
25 Ukrainians that they were better off being loyal to Russia

1 than to have an alliance with the United States.

2       So this came up--and, by the way, this was not unique  
3 to Ukraine. The Russians were very active in exactly the  
4 same mechanism of accusing the United States, and  
5 specifically Vice President Biden. They went after other  
6 officials such as Assistant Secretary Nuland, myself, and  
7 others in Latvia and Lithuania, in Croatia, in Bulgaria.  
8 These were accusations that Vice President Biden  
9 specifically was leading an effort to undermine issue X, Y,  
10 or Z. It was always different.

11       But this was a consistent effort. So this is something  
12 that we had raised on a regular basis with the Vice  
13 President, to make him aware, in different places, of the  
14 accusations against the United States.

15       MR. SCHRAM: And specific with respect to the  
16 accusations against the United States related to policy work  
17 in Ukraine, what would be your purpose in raising that issue  
18 with the Vice President?

19       MR. HOCHSTEIN: I wanted to make sure that he was aware  
20 of the specific Russian intentions and actions in Ukraine,  
21 specifically ahead of a trip to Ukraine.

22       MR. SCHRAM: In the last round, the majority started to  
23 discuss a meeting that you had with Hunter Biden. When  
24 again was that meeting?

25       MR. HOCHSTEIN: I believe it was in early November of

1 2015.

2 MR. SCHRAM: And how long was your conversation with  
3 Roger Biden?

4 MR. HOCHSTEIN: Probably 20 minutes or so.

5 MR. SCHRAM: And did you tell him about Russia's  
6 disinformation efforts?

7 MR. HOCHSTEIN: I did.

8 MR. SCHRAM: And what was his response?

9 MR. HOCHSTEIN: I think he was--he was frustrated with  
10 the Russian--Russian's narrative. He had specifically  
11 mentioned that he had joined the board and was working on  
12 issues that were present and future, and that these were  
13 areas that had occurred in the past that he had no knowledge  
14 of.

15 MR. SCHRAM: Did you have other meetings with Hunter  
16 Biden about his position on the board of Burisma?

17 MR. HOCHSTEIN: I did not.

18 MR. SCHRAM: Did you change U.S. policy toward Ukraine  
19 in any manner to assist Hunter Biden or Burisma?

20 MR. HOCHSTEIN: No.

21 MR. SCHRAM: Are you aware of any U.S. official who  
22 changed U.S. policy toward Ukraine in any manner to assist  
23 Hunter Biden or Burisma?

24 MR. HOCHSTEIN: No.

25 MR. SCHRAM: On August 14th of this year, Chairman

1 Johnson stated to One America News that there was, quote,  
2 evidence of wrongdoing or illegal activity related to Vice  
3 President and Hunter Biden. Do you agree with that  
4 characterization?

5 MR. HOCHSTEIN: No.

6 MR. SCHRAM: Are you aware of any evidence to support a  
7 claim of wrongdoing by Vice President Biden with respect to  
8 his policy in Ukraine?

9 MR. HOCHSTEIN: No.

10 MR. SCHRAM: Do you remain concerned that Vice  
11 President Biden is a target of a Russian disinformation  
12 effort?

13 MR. HOCHSTEIN: Yes.

14 MR. SCHRAM: Why?

15 MR. HOCHSTEIN: Because I can see it on a regular  
16 basis. I think this investigation is probably the  
17 successful outcome of that effort.

18 Mr. Derkach had published a number of so-called "leaked  
19 tapes." I don't know that I would have even seen them  
20 originally, except that my name was mentioned in them. So  
21 Google makes sure that you see them, and the accusations  
22 are--my concern is that this is a classic pattern of Russian  
23 operations to besmirch reputations where they choose  
24 relatively, well, well-known characters who have no  
25 credibility, like Mr. Derkach, and then make that--allow

1 that information to enter into the mainstream.

2 I was aware, made aware in 2019, early 2019 before it  
3 was published, of efforts to undermine Vice President Biden.  
4 I have seen no cessation of that effort. In fact, I've been  
5 it grow over time, especially over the last several months.

6 MR. SCHRAM: Mr. Hochstein, are you aware that Mr.  
7 Derkach had a press conference yesterday where he repeated  
8 some of these allegations?

9 MR. HOCHSTEIN: I'm actually not aware of that.

10 MR. SCHRAM: Are you aware that this committee had a  
11 business meeting yesterday?

12 MR. HOCHSTEIN: I am aware of that.

13 MR. SCHRAM: And that when the business meeting was  
14 noticed, it included an item to vote on a motion with  
15 respect to a subpoena for testimony of Ambassador Bridget  
16 Brink on matters related to Burisma and Ukraine?

17 MR. HOCHSTEIN: I read about that in the press.

18 MR. SCHRAM: And although that was ultimately pulled  
19 from the business meeting, it was in the original notice?

20 MR. HOCHSTEIN: I am aware.

21 MR. SCHRAM: Are you aware that the last time this  
22 committee had a business meeting related to Burisma and  
23 Ukraine on May 20th of this year that just hours before that  
24 business meeting, Mr. Derkach also had a press conference in  
25 which he released excerpts and recordings and transcripts of

1 conversations between Vice President Biden and President  
2 Poroshenko?

3 MR. HOCHSTEIN: Yes, I was aware of those.

4 MR. SCHRAM: Is that a pattern that concerns you?

5 MR. HOCHSTEIN: The pattern that--yes. And the pattern  
6 that concerns me is that it's the laundering of information  
7 when someone who has no credibility in Ukraine, let alone  
8 anywhere else, well known to be--and I had known of Mr.  
9 Derkach for a long time. I've never had the pleasure of  
10 meeting him, but he is a--comes from a long--from a KGB  
11 family and a pro-Russian Ukrainian lawmaker.

12 The pattern that concerns me is that I don't really  
13 care what he says in Ukraine. It doesn't bother me. Nobody  
14 believes him in Ukraine. What bothers me is that it seems  
15 that more people in the United States believe him than  
16 people who know him in Ukraine believe him. There, he's  
17 discredited, and here, his information, sometimes in a  
18 direct leap and sometimes through a stop on the way, gets  
19 into the mainstream discussions of U.S. policy. That  
20 concerns me, and I think he is following the--I believe that  
21 he has always followed the proceedings in the United States  
22 and tried to influence that.

23 MR. SCHRAM: So who is Mr. Derkach?

24 MR. HOCHSTEIN: Mr. Derkach is a parliamentarian in  
25 Ukraine who is from a pro-Russia political party. He was

1 trained--I think he was in one of the last classes of KGB  
2 Academy. His father was a high-ranking KGB official in the  
3 Cold War and transitioned with the end of the Cold War, with  
4 the independence of Ukraine to being, I think, eventually  
5 head of the local new-name version of the KGB. And so  
6 that's--that's who he is, and he's well known in Ukraine as  
7 a mouthpiece for--anything he says is essentially coming  
8 from the pro-Putin parties and directed by Moscow itself.

9 MR. SCHRAM: Are you aware of the August 7th assessment  
10 released by director of National Counterintelligence and  
11 Security Center, William Evanina, that says, quote, Russia  
12 is using a range of measures to primarily denigrate former  
13 Vice President Biden; for example, pro-Russia Ukrainian  
14 parliamentarian Andrii Derkach is spreading claims about  
15 corruption, including through publicized and leaked phone  
16 calls to undermine former Vice President Biden's candidacy  
17 and the Democratic Party?

18 MR. HOCHSTEIN: I am aware.

19 MR. SCHRAM: And that last week, the Treasury  
20 Department sanctioned Mr. Derkach stating, quote, that he  
21 was a--was a, quote, active Russian agent for over a decade?

22 MR. HOCHSTEIN: Yeah. I was--I'm happy to see that the  
23 Trump administration believes that the allegations being  
24 made by Mr. Derkach are false and are not only false but are  
25 being directed by the cyber counter anti-U.S. efforts in

1 Moscow.

2 MR. SCHRAM: And you have been personally targeted by  
3 Mr. Derkach's theories, correct?

4 MR. HOCHSTEIN: That is correct.

5 MR. SCHRAM: Can you elaborate?

6 MR. HOCHSTEIN: Mr. Derkach believes that when I was as  
7 Vice President Biden's--as a U.S. official that worked and  
8 traveled to Ukraine with Mr. Biden as Vice President and  
9 afterwards that my anti-corruption efforts were somehow part  
10 of a very elaborate scheme, and some of them were the  
11 classic way of doing it. You take actions that we really  
12 did do that were above board and were good actions to  
13 support Ukraine and put a false narrative twist around them  
14 to make them sound negative.

15 He used the fact that allegedly Vice President Biden on  
16 a call that he released that--I don't know the authenticity  
17 of the call, but that Vice President Biden mentioned my name  
18 as a source for supporting the reformists in Ukraine.  
19 Somehow supporting the reformists in Ukraine, the anti-  
20 corruption measures, was turned into a negative.

21 MR. SCHRAM: You referred to recordings of  
22 conversations between Vice President Biden and President  
23 Poroshenko released--

24 MR. HOCHSTEIN: Alleged.

25 MR. SCHRAM: --by Mr. Derkach.

1 I'm sorry?

2 MR. HOCHSTEIN: I said alleged calls because the  
3 authenticity has not been confirmed.

4 MR. SCHRAM: Are you aware that among the calls that  
5 Mr. Derkach released on May 19th, 2020, that some of them  
6 were responsive to a request made by Chairman Johnson and  
7 Chairman Grassley to Secretary Pompeo in April that had a  
8 response date of May 15th?

9 MR. HOCHSTEIN: I was not aware of that timeline.

10 MR. SCHRAM: Are you aware of Mr. Derkach's theory that  
11 Vice President Biden demanded the removal of Viktor Shokin  
12 in an effort to help his son?

13 MR. HOCHSTEIN: I am aware of the allegations.

14 MR. SCHRAM: Do you credit that allegation?

15 MR. HOCHSTEIN: No.

16 MR. SCHRAM: Why not?

17 MR. HOCHSTEIN: The removal of--for two reasons. One,  
18 it's just not true. The removal of Mr. Shokin was being  
19 sought not only by Vice President Biden but by the IMF, the  
20 EBRD, the World Bank, the Vice President of the EU, the UK  
21 government, the German government, the French government,  
22 and by several reformists in pro-democracy and pro-  
23 governance organizations inside Ukraine. All of those--this  
24 was a--truly a friends-of-Ukraine effort the Vice President  
25 was--the effort that he was pursuing was in concert with all

1 of those.

2 He was also delivering official U.S. policy towards  
3 Ukraine that we believed that it would be in the best  
4 interest of Ukraine to remove Mr. Shokin.

5 The second reason that I do not believe that it was--  
6 that it is credible is because we believed that Mr. Shokin  
7 was actually benefitting the chairman of Burisma. So an  
8 action to remove him would have been detrimental to Burisma,  
9 not benefit.

10 MR. SCHRAM: Are you aware of other U.S. officials who  
11 are subject to accusations by Mr. Derkach with respect to  
12 their role in Ukraine policy?

13 MR. HOCHSTEIN: If I just may add, Mr. Schram, I wanted  
14 to mention that when I listed all the organizations,  
15 governments, and institutions that were--wanted to remove  
16 Mr. Shokin, it was a bipartisan effort in the United States  
17 as well, and that there were members of the United States  
18 Senate and House who had supported that effort as well.

19 So I apologize. Can you repeat the question again, the  
20 second question?

21 MR. SCHRAM: Actually, let's expand on what you've just  
22 said. How were you aware of the bipartisan support for  
23 those efforts?

24 MR. HOCHSTEIN: There were--there was a letter, if I  
25 recall correctly, that was signed by a number of Senators

1 supporting and calling for the removal of Mr. Shokin, and  
2 there were briefings with Senators and House members.

3 Roy, can--I believe we have the letter you're referring  
4 to, Mr. Hochstein. Roy, can you pull that up? And we'll  
5 introduce it as Exhibit B.

6 [Hochstein Exhibit B was  
7 marked for identification.]

8 MR. SCHRAM: Mr. Hochstein, take a moment to review  
9 this, and let me know if this is the letter that you're  
10 referring to.

11 MR. KRAMER: And, Mr. Schram, just for the record, I  
12 don't have a copy of that. If you wouldn't mind emailing  
13 that to me, I'd appreciate it.

14 MR. SCHRAM: Sure thing. We had not anticipated  
15 introducing it.

16 MR. KRAMER: That's fine. You can do it at the break,  
17 but I just would like to make sure I get it today.

18 MR. HOCHSTEIN: I keep trying to scroll. Sorry.

19 [Pause.]

20 MR. HOCHSTEIN: Yeah.

21 MR. SCHRAM: Is this the letter that you're referring  
22 to?

23 MR. HOCHSTEIN: I believe so.

24 MR. SCHRAM: Do you recognize the names of the members  
25 of the Ukraine caucus?

1 MR. HOCHSTEIN: I do. I met with a number of them on  
2 these issues.

3 MR. SCHRAM: Does that include Senator Johnson?

4 MR. HOCHSTEIN: I did not brief Senator Johnson, but I  
5 do see his name on the letter that you're representing on  
6 the screen.

7 MR. SCHRAM: What did you understand this letter to be  
8 supporting?

9 MR. HOCHSTEIN: For President Poroshenko to take the  
10 action that we were all calling for, which was to--I mean,  
11 what it states, I believe, in the letter is to address  
12 serious allegations against the corruption and misdeeds in  
13 the prosecutor general's office at the time.

14 MR. SCHRAM: Was it your impression that Congress was  
15 well informed of the Obama administration's policy with  
16 respect to anti-corruption efforts in Ukraine?

17 MR. HOCHSTEIN: Yes.

18 MR. SCHRAM: And among those bodies of Congress that  
19 were well informed, would that include the Senate Foreign  
20 Relations Committee?

21 MR. HOCHSTEIN: Yes.

22 MR. SCHRAM: Would that include the Subcommittee on  
23 Europe and Regional Security of the Senate Foreign Relations  
24 Committee?

25 MR. HOCHSTEIN: I believe so.

1 MR. SCHRAM: Would it include that subcommittee's  
2 chairman, Senator Johnson?

3 MR. HOCHSTEIN: I would presume so.

4 MR. SCHRAM: The question I had asked before we turned  
5 to this letter was with respect to other U.S. officials who  
6 were the subject or target of Mr. Derkach's disinformation  
7 efforts--

8 MR. HOCHSTEIN: Yes.

9 MR. SCHRAM: --specific to anticorruption efforts in  
10 Ukraine. What other U.S. officials would you include on  
11 that list?

12 MR. HOCHSTEIN: I believe he was not a big fan of  
13 Ambassador Yovanovitch, Victoria Nuland, I believe other  
14 senior officials in the Obama administration's--I believe  
15 Secretary Kerry had featured in some of his diatribes. Oh,  
16 and I think he added the usual--he usually throws in the  
17 normal anti-Semitic charges against us, against the United  
18 States as well, and it includes Mr. Soros.

19 MR. SCHRAM: Did he include Mr. Kent, George Kent, in  
20 his allegations?

21 MR. HOCHSTEIN: I believe so. Sorry.

22 MR. SCHRAM: What about Ambassador Pyatt?

23 MR. HOCHSTEIN: Yeah. I think that was earlier in  
24 time, but Mr. Pyatt was not popular among the pro-Russian  
25 forces.

1 MR. SCHRAM: And are you aware that Mr. Kent,  
2 Ambassador Nuland, and Ambassador Pyatt are also witnesses  
3 in the Majority's investigation?

4 MR. HOCHSTEIN: I am.

5 MR. SCHRAM: Do you know who Andrii Telizhenko is?

6 MR. HOCHSTEIN: I've never met him, but I know who he  
7 is.

8 MR. SCHRAM: Are you familiar with public reporting  
9 that Mr. Telizhenko is responsible for amplifying Russian  
10 disinformation theories that Ukraine interfered in the 2016  
11 election?

12 MR. HOCHSTEIN: I am.

13 MR. SCHRAM: Are you aware that the Senate Intelligence  
14 Committee published a bipartisan report that concluded that  
15 the narrative that Mr. Telizhenko promotes about Ukraine's  
16 2016 election interference originated with a Russian  
17 intelligence officer, Konstantin Kilimnik?

18 MR. HOCHSTEIN: Yes.

19 MR. SCHRAM: Are you aware that Chairman Johnson met  
20 with Mr. Telizhenko in July 2019?

21 MR. HOCHSTEIN: I believe I read that in the media.

22 MR. SCHRAM: Marking as Exhibit C, a letter from  
23 September 27th, 2019, from Chairman Johnson and Chairman  
24 Grassley to Attorney General Barr.

25 [Hochstein Exhibit C was

1 marked for identification.]

2 MR. KRAMER: Mr. Schram, again, I don't have that. So  
3 if you could kindly email that to me, I'd appreciate it.

4 MR. SCHRAM: We'll email that to you at the break.

5 Mr. Hochstein, apologies for not flagging this in  
6 advance. Please take as much time as you need, and just let  
7 us know when to scroll.

8 [Pause.]

9 MR. HOCHSTEIN: Yeah, you can scroll.

10 MR. SCHRAM: Kelly, you should have this in your inbox  
11 now.

12 MR. KRAMER: Thank you.

13 MR. HOCHSTEIN: You can scroll.

14 [Pause.]

15 MR. HOCHSTEIN: Yep, you can scroll.

16 [Pause.]

17 MR. HOCHSTEIN: You can scroll.

18 [Pause.]

19 MR. HOCHSTEIN: Yeah, you can scroll.

20 [Pause.]

21 MR. HOCHSTEIN: Yeah.

22 MR. SCHRAM: I'm just going to ask you about the block  
23 quote that's on page 2 of this document. It quotes Andrii  
24 Telizhenko from an article by John Solomon. Mr. Hochstein,  
25 who is John Solomon?

1 MR. HOCHSTEIN: I think he is a--he is a--he's someone  
2 who publishes right-wing reports on different U.S. websites,  
3 usually--the ones that--I don't read a lot of them, but the  
4 ones that I've seen have been filled with information that  
5 comes from Russian forces.

6 MR. SCHRAM: And why do you say that?

7 MR. HOCHSTEIN: I said only the ones that I've read  
8 regarding Ukraine have been ones where I would see things  
9 and hear things in Kyiv or coming out of Russia, and I would  
10 see them printed under his byline.

11 MR. SCHRAM: Can you give an example?

12 MR. HOCHSTEIN: I think that after the--a couple of  
13 examples. After one of Derkach's press conferences, I think  
14 the one in May, there was a follow-up article--I forget the  
15 name of the websites--that he had written. Again, it only  
16 came to my attention because my name was mentioned in it,  
17 and in 2019 when I first started hearing what at the time  
18 was a rumor, when I was being told what was happening  
19 between Mr. Lutsenko and Mr. Giuliani, and I was told--I was  
20 given a very specific narrative of how it was going to--a  
21 timeline, like a tick-tock of how it was going to play out,  
22 and I was told there was going to be an article that will  
23 appear that will say all these things against Masha  
24 Yovanovitch, and then it would be endorsed by other  
25 officials, and that article was John Solomon. And the

1 people who were telling me this had heard it directly from  
2 some folks in Ukraine. So it was a direct line between  
3 their comments to me and his action--his reporting. Sorry.

4 MR. SCHRAM: Are you aware that an internal  
5 investigation led by the editor-in-chief at The Hill  
6 newspaper found that Mr. Solomon used unreliable and biased  
7 sources amplifying an inaccurate narrative about the Vice  
8 President?

9 MR. HOCHSTEIN: I was not actually aware of that, but  
10 I'm not surprised.

11 MR. SCHRAM: Are you aware that Mr. Giuliani is one of  
12 John Solomon's sources on these matters?

13 MR. HOCHSTEIN: That's pretty--I don't know about a  
14 source. It's pretty clear that they are in coordination.

15 MR. SCHRAM: You mentioned that you've come up in Mr.  
16 Solomon's reporting.

17 MR. HOCHSTEIN: I have.

18 MR. SCHRAM: How so?

19 MR. HOCHSTEIN: I believe, again, usually citing my  
20 name in furthering the Vice President's actions.

21 MR. SCHRAM: And the information about you in John  
22 Solomon's reporting, has it been accurate?

23 MR. HOCHSTEIN: No.

24 MR. SCHRAM: Do you regard him as a reliable source?

25 MR. HOCHSTEIN: I do not.

1 MR. SCHRAM: Why not?

2 MR. HOCHSTEIN: Because the information that I have--  
3 for two reasons. The information I've read where I knew the  
4 facts, they were--the reporting was inaccurate. And,  
5 second, because of what I mentioned earlier, during the time  
6 of the--in the early days of the efforts to get the  
7 Ukrainian Government both straddling Poroshenko, the final  
8 months of the Poroshenko administration into the early  
9 months of the Zelensky administration, the reporting by him  
10 was the--it was the method that was used by those efforts to  
11 undermine Vice President, myself, Yovanovitch, and others,  
12 it was his reporting that brought it into the United States.  
13 That was the mechanism.

14 MR. SCHRAM: So I won't take your time going through  
15 all of the letters that the Chairmen have issued in pursuit  
16 of this investigation that rely on Mr. Solomon's reporting,  
17 but I'll mention a few: November 6, 2019, letter to the  
18 State Department; November 15, 2019, letter to the Treasury  
19 Department; the November 21st letter to the FBI; November  
20 21st letter to the National Archives. Are you aware that on  
21 January 23rd Chairman Johnson sat for an interview with Mr.  
22 Solomon?

23 MR. HOCHSTEIN: I am not aware.

24 MR. SCHRAM: In your view, are the actions of Mr.  
25 Derkach, Mr. Telizhenko, and Mr. Solomon consistent with

1 malign influence, Russian malign influence operations?

2 MR. HOCHSTEIN: Yes.

3 MR. SCHRAM: In your words, what would you regard as  
4 the purpose of their efforts?

5 MR. HOCHSTEIN: To undermine Vice President Biden's  
6 candidacy and to ensure a Russian successful outcome in the  
7 U.S. election.

8 MR. SCHRAM: Mr. Hochstein, in an open letter of August  
9 10th of this year, Chairman Johnson wrote, "Many in the  
10 media in an ongoing attempt to provide cover for former Vice  
11 President Biden continue to repeat the mantra that there is  
12 no evidence of wrongdoing or illegal activity related to  
13 Hunter Biden's position on Burisma's board. I could not  
14 disagree more."

15 Are you aware of any evidence of wrongdoing or illegal  
16 activity by Vice President Biden related to Hunter Biden's  
17 position on the board of Burisma?

18 MR. HOCHSTEIN: I am not.

19 MR. SCHRAM: Given your knowledge about the development  
20 and execution of our foreign policy in Ukraine, do you  
21 regard the Chairman's claim as credible?

22 MR. HOCHSTEIN: I do not.

23 MR. SCHRAM: Was the foreign policy that Vice President  
24 Biden pursued in Ukraine intended to advance the interests  
25 of the United States of America?

1 MR. HOCHSTEIN: Yes.

2 MR. SCHRAM: Are narratives that suggest otherwise  
3 false?

4 MR. HOCHSTEIN: Yes.

5 MR. SCHRAM: Did a potential conflict of interest  
6 related to Hunter Biden influence Obama administration  
7 policy decisions with respect to Ukraine and Burisma  
8 Holdings?

9 MR. HOCHSTEIN: Not at all.

10 MR. SCHRAM: You sound very confident in that answer.  
11 Why?

12 MR. HOCHSTEIN: I was involved in one part of the U.S.  
13 policy towards Ukraine. I accompanied Vice President Biden  
14 to Ukraine. I traveled to Ukraine independently. I was in  
15 close contact with other officials from the Department of  
16 Defense, Department of State, and the White House on the  
17 formulation of U.S. policy towards Ukraine in discussion  
18 with the Secretary of State. And never was the word  
19 "Burisma" raised. The presence of Hunter Biden on the board  
20 of Burisma never factored into it. My charge and our charge  
21 was to do what was best for Ukraine as emerging from its  
22 previous regime post-revolution, to win the war in the East,  
23 and to secure a transparent and open society. And never was  
24 I deterred from it, nor was, to my knowledge, anyone else  
25 ever given conflicting instructions other than that.

1           In fact, the biggest fear in Ukraine then and now among  
2 the oligarchs and the corruption machine was Vice President  
3 Biden and the team around him that was pursuing this effort.  
4 He was always the bogeyman for both Russia and for  
5 corruption, and those are different. Russia wanted control  
6 in Europe, and Vice President Biden, and our team was--our  
7 interagency team was feared, our intervention in Europe was  
8 feared by the Russians as pulling the rest of Europe  
9 together and to be aligned with Western values and with the  
10 United States.

11           MR. SCHRAM: So in a word, was the foreign policy  
12 pursued by Vice President Biden in Ukraine corrupt?

13           MR. HOCHSTEIN: No.

14           MR. SCHRAM: Did a potential conflict of interest  
15 related to Hunter Biden influence the Vice President's  
16 policy decisions with respect to Ukraine and Burisma  
17 Holdings?

18           MR. HOCHSTEIN: No.

19           MR. SCHRAM: Did Vice President Biden alter United  
20 States Government foreign policy concerning Ukraine to  
21 assist Burisma or his son?

22           MR. HOCHSTEIN: No.

23           MR. SCHRAM: Did you witness any effort by any U.S.  
24 official to shield Burisma from scrutiny?

25           MR. HOCHSTEIN: No.

1 MR. SCHRAM: Was the U.S. Government position  
2 advocating for the removal of Prosecutor General Shokin part  
3 of an effort to stop an investigation into Burisma?

4 MR. HOCHSTEIN: No.

5 MR. SCHRAM: Was it your view at the time that the  
6 dismissal of Prosecutor General Shokin would actually  
7 increase the likelihood that Burisma would be investigated  
8 for corruption?

9 MR. HOCHSTEIN: Yes.

10 MR. SCHRAM: Was that the view of the U.S. Government?

11 MR. HOCHSTEIN: Yes.

12 MR. SCHRAM: Was the policy advocating for the  
13 dismissal of Prosecutor General Shokin formulated by the  
14 Vice President in an effort to assist his son?

15 MR. HOCHSTEIN: No.

16 MR. SCHRAM: Did the idea to condition aid to Ukraine  
17 on anticorruption--did the idea to condition aid to Ukraine  
18 related to anticorruption reforms, including reform of the  
19 prosecutor general's office, originate with Vice President  
20 Biden?

21 MR. HOCHSTEIN: I don't believe so.

22 MR. SCHRAM: Was it a whole-of-Government policy to  
23 condition foreign aid in part on the removal of Prosecutor  
24 General Shokin?

25 MR. HOCHSTEIN: To be honest, I was not involved in the

1 discussions about calling for the removal in the context of  
2 the aid. That would have been done with--that wasn't in my  
3 lane.

4 MR. SCHRAM: In your first hour of testimony, you said  
5 that you had no reaction to learning about Hunter Biden's  
6 appointment to the board of Burisma initially. Correct?

7 MR. HOCHSTEIN: Yes.

8 MR. SCHRAM: But did you have a reaction when you  
9 learned that Russians were using Hunter Biden's position on  
10 the board to undermine the credibility of Vice President  
11 Biden as it related to U.S. policy toward Ukraine?

12 MR. HOCHSTEIN: Yes. I thought that was the--just a--  
13 it was another data point that they were using against us  
14 that we needed to be aware of.

15 MR. SCHRAM: Can you help us understand the distinction  
16 between your concern--your lack of concern about Hunter  
17 Biden's--your lack of reaction with respect to Hunter  
18 Biden's appointment to the board versus your reaction to  
19 learning that Russians were exploiting that for  
20 disinformation purposes?

21 MR. HOCHSTEIN: Hunter Biden's presence on the board  
22 did not affect my day-to-day work or anybody else's that I  
23 came in contact with. We were--it was just something that I  
24 learned, and it was a data point. But it did not affect  
25 anything. Russians trying to create a perception of

1 something negative and nefarious between the United States  
2 and in the United States' efforts in Ukraine on  
3 anticorruption, that was something we needed to be aware of  
4 in order to make sure that it was not listened to--not that  
5 specific line, but just the generic attempt by the Russians.

6 MR. SCHRAM: Is it your understanding that this very  
7 investigation is also trying to create the impression that  
8 there was corruption with respect to the Vice President's  
9 actions in the Ukraine related to Hunter Biden's position on  
10 the board?

11 MR. HOCHSTEIN: I believe that this investigation,  
12 regardless of motive, which I can't know, but in practice is  
13 precisely what the Russian information campaign was hoping  
14 to achieve, as well as several of the corrupt oligarchs.

15 MR. SCHRAM: That is all for now.

16 MR. GOSHORN: Before we move, if I could have time for  
17 just one quick follow-up, if that's okay with everyone.

18 Mr. Hochstein, my name is Dan Goshorn. I'm a Senior  
19 Investigator for Senator Wyden, and I just wanted to clarify  
20 something you said earlier. I believe you said that the  
21 Russian disinformation efforts related to Hunter Biden's  
22 position on Burisma were just--that narrative was just one  
23 of many that the Russians were using to discredit Vice  
24 President Biden's work in Ukraine. Is that correct?

25 MR. HOCHSTEIN: Correct.

1 MR. GOSHORN: So if Hunter Biden had never joined the  
2 board of Burisma or, you know, if there was no Hunter Biden,  
3 would there still have been a Russian disinformation effort  
4 to discredit Vice President Biden's work in Ukraine?

5 MR. HOCHSTEIN: Yes.

6 MR. GOSHORN: Thank you. That's all for me.

7 MR. KRAMER: Is this a good time to take a 5-minute  
8 break, switch sides, and go to Round 3?

9 MR. FOLIO: Yeah, Kelly, I think that's good. Can we  
10 plan to reconvene at 12:45? And just one logistical point.  
11 Roy, can you keep the exhibit pen for a second? I'm going  
12 to have one question on Exhibit B when we get back.

13 All right. See you guys at 12:45.

14 [Recess.]

15 MR. FOLIO: Roy, if you wouldn't mind just pulling up  
16 Exhibit B, I have a question about the penultimate paragraph  
17 on the first page. Thank you.

18 Can you just scroll down, please, to the bottom of the  
19 first page, that penultimate paragraph.

20 Mr. Hochstein, the second paragraph from the bottom,  
21 specifically the second sentence from the end, it reads, "We  
22 similarly urge you to press ahead with urgent reforms to the  
23 Prosecutor General's Office and judiciary." Other than that  
24 sentence or anywhere else in this letter, did you see any  
25 place in which the Senators, including Chairman Johnson,

1 called for the dismissal of then-Prosecutor General Shokin?

2 MR. HOCHSTEIN: I did not, in that letter or in that  
3 paragraph.

4 MR. FOLIO: Mr. Hochstein, are you aware of Chairman  
5 Johnson's support for the provision of lethal aid to Ukraine  
6 during this time period?

7 MR. HOCHSTEIN: I believe I remember that.

8 MR. FOLIO: Were you aware of the half dozen or so  
9 trips that Chairman Johnson took to Ukraine during this time  
10 period?

11 MR. HOCHSTEIN: I'm sorry. It was hard for me to  
12 understand.

13 MR. FOLIO: Were you aware of the half dozen or so  
14 trips that Chairman Johnson took to Ukraine during this time  
15 period?

16 MR. HOCHSTEIN: I was aware that [inaudible] to  
17 Ukraine. I am not aware of the amount of [inaudible] trips.

18 MR. KRAMER: Joe, I'm sorry. You're coming through  
19 really poorly. If somebody is not on mute and you're not  
20 speaking, could you please mute. Other than you. There is  
21 sound coming from other sources.

22 MR. FOLIO: I think we are all muted here so I'll just  
23 try to speak loudly and more slowly.

24 Mr. Hochstein, are you aware of Chairman Johnson's  
25 legislation regarding the Nord Stream 2 pipeline?

1 MR. HOCHSTEIN: I am.

2 MR. FOLIO: And what's your general understanding and  
3 impression of that legislation?

4 MR. HOCHSTEIN: It calls for the sanctions to be placed  
5 on the companies involved in the construction of the Nord  
6 Stream 2 pipeline.

7 MR. FOLIO: Are you aware that on November 3, 2015,  
8 Chairman Johnson held a hearing in his Foreign Relations  
9 Subcommittee entitled "Putin's invasion of Ukraine and the  
10 Propaganda That Threatens Europe"?

11 MR. HOCHSTEIN: I don't know that I'm aware of that  
12 hearing.

13 MR. FOLIO: Are you aware that on June 14, 2015,  
14 Chairman Johnson's subcommittee held a hearing entitled  
15 "Southeast Europe: Strengthening Democracy and Countering  
16 Malign Foreign Influence"?

17 MR. HOCHSTEIN: I'm not aware of that but I'm aware of  
18 the effort.

19 MR. FOLIO: Are you aware that Chairman Johnson, along  
20 with other Senators, has been blacklisted from Russia due to  
21 their advocacy on behalf of Ukraine?

22 MR. HOCHSTEIN: I believe I was aware of that.

23 MR. FOLIO: So during the minority's questioning, they  
24 asked you about your impression of our investigation, and  
25 they wanted to chat about that for a minute. So with regard

1 to our investigation, I don't want to mischaracterize your  
2 answer, but you said you seemed to be disappointed that we  
3 were looking at this, and I'd just like to understand why.

4 MR. HOCHSTEIN: Because--and again, what I said during  
5 the minority staff questioning was that regardless of motive  
6 I believe that this investigation is being seen as a  
7 successful outcome of what some oligarchs, corrupt oligarchs  
8 and corruption forces were looking for, which is to take  
9 accusations that were made in Ukraine against Vice President  
10 Biden's efforts to tie our anticorruption efforts at the  
11 time to the presence of his son on the board, or that he had  
12 ulterior motives.

13 And my disappointment is because I was involved with  
14 those efforts and I knew what the purpose of those efforts  
15 were and where they were coming from, and I know what we  
16 were trying to and succeeding, and sometimes failing to do  
17 was truly an obstruction effort. So that's my  
18 disappointment, that it gives rise to the [inaudible] about  
19 anticorruption efforts in not only Ukraine but elsewhere.

20 MR. FOLIO: So is one way to combat these narratives  
21 that you believe to be false is to speak with former U.S.  
22 officials like yourself to understand exactly what did and  
23 did not happen?

24 MR. HOCHSTEIN: I think that conversations that are  
25 under the guise of investigation, that is based on these

1 kinds--on allegations of activities, not to go specifically  
2 into areas that repeat narratives pursued by Moscow and by  
3 nefarious actors in Ukraine, I think gives it credence.  
4 When you do something as an investigation and you have a lot  
5 of press reporting around the investigation that support the  
6 outcome, I think that it has that effect.

7 MR. FOLIO: Do you think it's more helpful for us to  
8 address these issues by speaking with you or not speaking  
9 with you, to understand what happened?

10 MR. HOCHSTEIN: All of these matters that we are  
11 discussing over the last few months, when you talk about the  
12 Hunter Biden being on the board of Burisma, this, as I think  
13 your colleague showed me an article that appeared about  
14 Hunter joining the board, that was in 2015. The actions of  
15 the the Prosecutor General, Mr. Shokin, was in 2015, I  
16 believe, or 2016, sorry. And this was all debated and  
17 reported on in the media, in the U.S. media, quite a bit.

18 And so when we look at it as an investigation five  
19 years later, in the middle of a presidential campaign, that  
20 is something that brings--it could cause folks to doubt the  
21 motivations, and I think when a number of people related to  
22 the investigation have stated in the press that it's about  
23 the election and that it has to be done within an election  
24 time frame, that also brings rise to the doubting of the  
25 investigation itself.

1 MR. FOLIO: You know, we talked about the undisputed  
2 fact that Hunter Biden taking a position and the money he  
3 was paid to serve in that position. I'm interested in what  
4 your perspective is. Are you saying you think it's  
5 inappropriate for us to be looking at that, or are you  
6 saying it's inappropriate for us to be looking at that at  
7 this time?

8 MR. HOCHSTEIN: I think that it's a combination of the  
9 two. Look, I don't presume to convince you in a debate  
10 about whether or not you should have this investigation.  
11 The facts are that you're having the investigation. I have  
12 my views on it. You've asked me to participate. I have  
13 chosen to do so without subpoena and to do this voluntarily.  
14 And it is my personal view that regardless of the  
15 Committee's intentions, which I will not presume, the  
16 outcome of doing it in this timeline, in this time frame is  
17 seen and reported on in other countries and in Russia and in  
18 Ukraine, the success or the negative operations of  
19 disinformation against Vice President Biden that are going  
20 on more generally.

21 But again, I'm not trying to convince you.

22 MR. FOLIO: I just want to understand your answers you  
23 provided to the minority questions. And I guess, you know,  
24 what we're looking at is the fact that the Vice President's  
25 son took a position on a company that the United States and

1 other foreign law enforcement entities were investigating  
2 for corruption. So I just want to understand, from your  
3 perspective, do you think that issue matters and was worth  
4 investigating?

5 MR. HOCHSTEIN: I think--first of all, you're asking me  
6 to have an out-of-body experience. I was working very  
7 closely with the Vice President on corruption matters in  
8 Ukraine. I was working in concert with other officials from  
9 the U.S. Government. We were never working in isolation or  
10 in a dark room. We were all discussing this on a regular  
11 basis and coordinating our efforts and strategies.

12 So I know for a fact that these allegations are untrue.  
13 When somebody says that the Vice President wanted to fire  
14 Shokin to support his son, I know it's not true. Now I know  
15 it because I was there. I was on that trip. I was in  
16 meetings before. I know who else was calling for the firing  
17 of Shokin. I know that it wasn't the Vice President's view  
18 alone. I know that it was called for by other international  
19 financial institutions, other governments.

20 So the idea that firing, or calling for reforms in the  
21 Prosecutor General Office culminating in the removal of him  
22 was a coordinated, multi-stakeholder effort, and therefore  
23 the plausibility that that was somehow manipulated all for a  
24 tiny little company called Burisma that Hunter Biden was on  
25 the board of, for somebody like me that was there, I know

1 that it's not true. So you're asking me to give a  
2 validation of whether or not it's appropriate to look at it.  
3 That's for you to assess. I can tell you (1) I was there,  
4 (2) it was multilateral, (3) it was an interagency, (4) it  
5 had no material effect on Burisma itself or on Mr.  
6 Zlochevsky.

7 And therefore, I think everything we did was above  
8 board, and lastly, that it was well known. It was all in  
9 the press. And if there was a real effort to have some kind  
10 of conspiracy, it could have been discussed in 2015 or in  
11 2014 or in 2016. But it's being discussed in 2020, ahead of  
12 an election.

13 MR. FOLIO: You know, I think you're referring to the  
14 new news articles that came out in 2015, but as you may be  
15 aware in the letters that we sent that referred to you.  
16 Obviously, that information wasn't made available until  
17 recently. As you said, you were involved in the decision-  
18 making, so that's precisely why we're trying to speak to  
19 you.

20 And I think getting to that point, you know, the  
21 testimony you provided to the minority, you said that Hunter  
22 Biden's decision to join the board didn't affect anything.  
23 So I understand that your testimony with regard to the  
24 decision to seek the removal of then Prosecutor General  
25 Shokin. But, you know, did Russia use the fact that Hunter

1 Biden's position on the board of Burisma to advance its own  
2 narrative?

3 MR. HOCHSTEIN: It tried to, yes.

4 MR. FOLIO: So then it certainly affected something.

5 MR. HOCHSTEIN: So the question that I was asked was  
6 when I learned in 2014 from the press that he had joined the  
7 board did it have an effect. It did not. It did not  
8 affect--and I specifically said it did not affect my job or  
9 anything that we were doing in Ukraine.

10 About a year later it started popping up, or maybe  
11 even--yeah, just about a year later it started popping up by  
12 Russian propaganda and by some other oligarchs as  
13 undermining the American message and the Vice President's  
14 message. I would even argue then that it wasn't a  
15 successful effort by Russia. I mean, it was an effort but  
16 it wasn't successful. Ukrainian government officials never  
17 bought into it, did not raise Hunter Biden, and our  
18 discussions on corruption were always on the merits, even  
19 when they were very difficult, and there were certain  
20 moments where we were demanding and asking them to do things  
21 they were uncomfortable with, because it upset some of the  
22 politics in Kiev. And yet they never once, not to me or, to  
23 my knowledge, to anyone else at a senior level, did they  
24 say, "How you can you ask me this in spite of the fact that  
25 you have the story?" So it wasn't a successful effort by

1 the Russians but it was an effort.

2 MR. FOLIO: Are you aware of whether Ukrainian  
3 officials ever raised concerns with anyone else in the State  
4 Department or the U.S. Government?

5 MR. HOCHSTEIN: I'm not aware.

6 MR. FOLIO: We looked at an email--I think the minority  
7 introduced it as an exhibit, in which you and your team were  
8 spending time responding to the Russian news reports.  
9 Before Hunter Biden taking a position on the board you  
10 wouldn't have had to do that, right?

11 MR. HOCHSTEIN: You mean the email chain? Yeah, we  
12 write that we would have had spent that time creating other  
13 talking points. That is correct.

14 MR. FOLIO: I mean, not all things are equal, right.  
15 You looked at and discussed with the minority in the email,  
16 part of that Russian article said that the Biden family will  
17 begin a large-scale privatization in Ukraine. I mean, does  
18 that have any basis in fact?

19 MR. HOCHSTEIN: No.

20 MR. FOLIO: Do the claims about Hunter Biden serving on  
21 the board of Burisma have a basis in fact?

22 MR. HOCHSTEIN: Yes.

23 MR. FOLIO: So why give the Russians one more way to  
24 potentially attack and undermine U.S. foreign policy on  
25 Ukraine?

1 MR. HOCHSTEIN: I'm not sure what I'm being asked.

2 MR. FOLIO: So we're talking about your comment about  
3 whether--what effect, if any, it's had on your work in U.S.  
4 anticorruption policy. So you talked with minority, and  
5 we're talking about now, is how the Russians were trying to  
6 exploit his position, Hunter Biden's position, on the board  
7 of Burisma to undermine U.S. foreign policy and to convince  
8 Ukraine to [inaudible]. That's an effect on U.S. foreign  
9 policy, right?

10 MR. HOCHSTEIN: No. Not necessarily. It would be an  
11 effect on foreign policy if we changed our policy as a  
12 result. But there was no change of American foreign policy  
13 except for the fact that we had to spend probably a few  
14 extra minutes, in doing the talking points, on how to  
15 address it in the case that it may come up.

16 Again, I'm trying to stress this many times. Vice  
17 President Biden was the boogeyman, not just for Russians in  
18 Ukraine. He was boogie man for many oligarchs whose income,  
19 our effort, Vice President Biden's effort directly affected.  
20 And they wanted his reputation to be tarnished so that he  
21 would not continue the efforts that cost them so much money.  
22 That continues to this day, and partly their efforts today  
23 is because of the return of the anticorruption movements  
24 from the United States and Ukraine.

25 So did it affect U.S. foreign policy is the question

1 you keep asking me, and I keep telling you, was it up, was  
2 it a data point? It was a data point to be aware of but it  
3 never factored in. Could it have? I don't know.

4 MR. FOLIO: Isn't that the entire--isn't that the  
5 primary purpose of conflicts of interest rules is to not  
6 allow things like this to happen, not allow questions to be  
7 drawn that potentially undermine the effectiveness of U.S.  
8 policy?

9 MR. KRAMER: Are you saying that there's a conflict of  
10 interest rule that applies in this circumstance?

11 MR. FOLIO: There are a variety of conflict of interest  
12 rules, but rules aside, right, isn't it just sort of a  
13 fundamental point, when you have something like this, the  
14 appearance of or actual conflict of interest, like the  
15 reason those rules exist is to try and remove doubt that  
16 could be cast on an otherwise valid policy. Right?

17 MR. KRAMER: Again, are you trying to assert that there  
18 is an exigent rule that prohibits this situation? If there  
19 is, please tell us the rule and we can talk.

20 MR. FOLIO: There are a variety of conflicts of  
21 interest rules that apply. I'm not referring to any  
22 specific one. I don't have the impression that Mr.  
23 Hochstein is an expert in those rules. But I'm just asking  
24 from his position as a U.S. official, not that I am either.  
25 It's just a general statement about a different area of law.

1 But from your position as a U.S. official, you had to deal  
2 with these issues, but your understanding of, you know, why  
3 you were told, and took training on the avoidances of  
4 appearances of conflict, I mean, isn't the fundamental  
5 purpose to avoid questions being drawn as to the motives or  
6 otherwise on policy?

7 MR. HOCHSTEIN: It is true that I have taken courses,  
8 you know, the obligatory courses in conflict of interest,  
9 but I was never one that had to be implementing them or  
10 supervising them in any way. My job was to--I saw the data  
11 point that Hunter Biden was on the board. It kind of  
12 appeared in the press, had a little flurry of activity in  
13 early 2014. And I did not then see it come up again for a  
14 while, and when it came up again it was trying to use it to  
15 create an appearance and a perception. I believe that  
16 effort failed because it was intended to influence Ukrainian  
17 government officials to not follow our suggestions on  
18 governance reform.

19 And the reason it never had a chance really of  
20 succeeding is because the efforts of reform that the Vice  
21 President was taking, that I was taking, and that others in  
22 the U.S. Government were taking, were done in concert with  
23 multilateral institutions, with the EU, et cetera. So  
24 nobody serious ever considered it to be a conflict of  
25 interest, because the facts always negated it.

1 MR. FOLIO: Was Mr. Zlochevsky being investigated  
2 because he was alleged to have stolen assets from the  
3 Ukrainian people?

4 MR. HOCHSTEIN: Yes. I don't know if that's exactly  
5 what the prosecution [inaudible].

6 MR. FOLIO: The shorthand for--I mean, he was alleged  
7 that he took wealth from the Ukrainian people in the form,  
8 the licenses, the land grants.

9 MR. HOCHSTEIN: Correct.

10 MR. FOLIO: And it was part of the U.S. foreign policy  
11 to try and recapture Ukrainian assets that folks believed  
12 were wrongfully taken away from the country. Is that right?

13 MR. HOCHSTEIN: Yes.

14 MR. FOLIO: Was Mr.--

15 MR. HOCHSTEIN: The benefits of those assets, right?

16 MR. FOLIO: Right.

17 Was Mr. Zlochevsky ever successfully prosecuted?

18 MR. HOCHSTEIN: No.

19 MR. FOLIO: So across--during this time, certain people  
20 within the U.S. government specifically called out Mr.  
21 Zlochevsky as being corrupt and worthy of investigation, if  
22 not prosecution, right?

23 MR. HOCHSTEIN: Yes.

24 MR. FOLIO: So across three different prosecutor  
25 generals from this 2014 time period to 2016 time period,

1 despite the U.S., certain U.S. officials calling explicitly  
2 for his investigation and prosecution, all the cases against  
3 him were dismissed. Why do you think that happened?

4 MR. HOCHSTEIN: I think--well, so I don't know--I don't  
5 know for--

6 MR. KRAMER: Hold on for one second. The premise that  
7 all the cases were dismissed, I don't know if that's true.  
8 If you know that that's true, then you can respond to it,  
9 but if you don't know that's true, then you should just--

10 MR. HOCHSTEIN: The UK case was dismissed. The  
11 Ukrainian cases were closed. That is--I can't say for  
12 certain why we in the U.S. government suspected that he--  
13 that--we wanted those cases to go forward, and expressed  
14 those, that interest openly.

15 MR. FOLIO: So for whatever reason, the U.S. desire to  
16 have those cases move forward in its message, it wasn't  
17 received?

18 MR. HOCHSTEIN: That is correct--well, no. I think the  
19 message--no, no, no. Sorry. The message was received. It  
20 was received loud and clear for--

21 MR. FOLIO: It was never a factor?

22 MR. HOCHSTEIN: As I said before, in the fight against  
23 corruption, you're--it's not--it fights back, and--

24 MR. FOLIO: Right. We understand and appreciate well,  
25 but my--

1 MR. HOCHSTEIN: I'm just going to say that the lack of  
2 prosecution--or sorry--the lack of successful prosecution  
3 was more about the corruption in the Ukrainian system than  
4 it was about anything else.

5 MR. FOLIO: And if it's such an uphill battle to fight  
6 corruption, I guess I'm just not sure I understand your  
7 testimony about how it--making it that much more difficult  
8 by having the Vice President's son on the board doesn't  
9 matter--in a couple emails?

10 MR. HOCHSTEIN: I'm--look, I was seen and perceived in  
11 Ukraine--

12 MR. FOLIO: Right.

13 MR. HOCHSTEIN: --as someone who was State Department  
14 and very close to Vice President Biden. That was how they  
15 perceived my role.

16 They also knew that I was very hard against the  
17 corruption in Ukraine. I was doing things that were  
18 uncomfortable with--for corrupt individuals in Ukraine, and  
19 they knew that I was called into the prosecution and the  
20 cooperation of the prosecution of Zlochevsky.

21 So there is just no credibility in saying that anyone  
22 in Ukraine thought that the Vice President or the people  
23 that worked in the administration and the people that were  
24 working closely with them in Ukraine were nothing--anything  
25 but fully committed and serious in trying to prosecute

1 corrupt individuals in Ukraine.

2 MR. FOLIO: But sitting here today, do you have any  
3 understanding as to why those efforts were not--to prosecute  
4 Mr. Zlochevsky were not successful?

5 MR. HOCHSTEIN: My personal view was that Mr.  
6 Zlochevsky was doing what many other corrupt individuals do  
7 in Ukraine when it comes to avoid prosecutions, and that's  
8 open their purse, but--

9 MR. FOLIO: I'm sorry. I'm going to--

10 MR. HOCHSTEIN: --I cannot prove that.

11 MR. FOLIO: I'm going to turn the questioning over to  
12 my colleague, Brian Downey.

13 MR. HOCHSTEIN: I'm sorry? To who?

14 MR. FOLIO: Brian Downey.

15 MR. DOWNEY: Mr. Hochstein, can you hear me?

16 MR. HOCHSTEIN: I can.

17 MR. DOWNEY: So on October 8th, 2015, President Obama  
18 announced his intent to nominate yourself as the Assistant  
19 Secretary for Energy Resources at the Department of State,  
20 correct?

21 MR. HOCHSTEIN: I trust that the date is correct. I  
22 don't remember it, though.

23 MR. DOWNEY: Did you speak with Vice President Biden  
24 about Hunter Biden's role on Burisma for that date?

25 MR. HOCHSTEIN: I don't believe so.

1 MR. DOWNEY: On October 21st, 2015, Vice President  
2 Biden announced at the Rose Garden that he was not running  
3 for President in 2016. Did you speak with Vice President  
4 Biden about Hunter Biden and his position on Burisma's board  
5 before that announcement?

6 MR. HOCHSTEIN: I couldn't be sure. I have no idea.

7 MR. DOWNEY: I didn't hear you, sir.

8 MR. HOCHSTEIN: I said I have no idea exactly which day  
9 it was. It was sometime in late October.

10 MR. DOWNEY: And you met with Hunter Biden in or around  
11 November 2nd, 2015.

12 MR. HOCHSTEIN: Is that a question?

13 MR. DOWNEY: Yes.

14 MR. HOCHSTEIN: Oh. Yes, I did. I mean, I see from  
15 the email that you sent me that it would have been somewhere  
16 a few days after that email.

17 MR. DOWNEY: So going back to your meeting with--or  
18 your discussion with Vice President Biden in October of  
19 2015, was there anyone else present when you had this  
20 conversation with the Vice President?

21 MR. HOCHSTEIN: No.

22 MR. DOWNEY: Why did you decide to raise this issue  
23 with Vice President Biden at that time?

24 MR. HOCHSTEIN: We were starting to think about a trip  
25 to Ukraine, and I wanted to make sure that he was aware that

1 there was an increase in chatter on media outlets close to  
2 Russians and corrupt oligarchs-owned media outlets about  
3 undermining his message--to try to undermine his message and  
4 including Hunter Biden being part of the board of Burisma.

5 MR. DOWNEY: So why did you do--why did you have this  
6 conversation with the Vice President? Why didn't someone in  
7 his press office have this conversation or someone else at  
8 the State Department have this conversation? Why did you  
9 discuss this issue with Vice President Biden in October of  
10 2015?

11 MR. HOCHSTEIN: I was the International Energy Envoy.  
12 I worked on energy issues around the world. I had been the  
13 one who was working on energy issues in Ukraine. It wasn't  
14 an anticorruption job, but it was part of a job. And we--I  
15 had worked--that because of that, it called for me to spend  
16 more time with the Vice President. I wanted to make sure  
17 that he was aware of it.

18 He may have heard it from others. I wouldn't know who  
19 else would have spoken to him, but I thought it was part of  
20 my job to inform him.

21 MR. DOWNEY: Before having this conversation with Vice  
22 President Biden in October 2015, did you bring up with other  
23 individuals at the State Department that you were going to  
24 raise this issue with Vice President Biden?

25 MR. HOCHSTEIN: I had not told anyone that I was going

1 to--the decision to inform him was as we were walking. I  
2 don't believe that I had shared that decision.

3 MR. DOWNEY: Why not?

4 MR. HOCHSTEIN: This was a conversation of chance. You  
5 know, we happened to be walking away from a meeting  
6 together, and it was an opportune time to raise it with him.  
7 It's not as though I scheduled a meeting or anything about  
8 this. This was a conversation while we were walking.

9 MR. DOWNEY: So after this conversation with Vice  
10 President Biden, did you debrief with Secretary Kerry or  
11 other officials at the State Department about this  
12 conversation?

13 MR. HOCHSTEIN: I don't remember. I may have mentioned  
14 to--I don't remember. I may have said that I had a  
15 conversation with him about what was happening on the ground  
16 in--on what the Russians were trying to do via corrupt  
17 oligarchs, but I can't be certain.

18 MR. DOWNEY: Had a conversation with who?

19 MR. HOCHSTEIN: I said I--you asked a question about--  
20 sort of a generic, to anyone in the State Department. I  
21 don't recall if I did or not. I may have.

22 MR. DOWNEY: What about to Secretary Kerry?

23 MR. HOCHSTEIN: I don't believe so.

24 MR. DOWNEY: During this conversation with Vice  
25 President Biden, did you recommend to the Vice President

1 that Hunter Biden should leave Burisma's board?

2 MR. KRAMER: So, again, I'll instruct you not to--I'm  
3 going to instruct you not to discuss the substance of the  
4 conversation. I think it's fair for you to indicate like  
5 what did you--the purpose in that meeting was to urge him to  
6 recommend. It has to be all about your own personal--

7 MR. DOWNEY: So this will be, I believe, Exhibit 4 for  
8 the Majority, which will be Tab 4, Will.

9 [Hochstein Exhibit No. 4 was  
10 marked for identification.]

11 MR. KRAMER: What is the base, Mr. Downey?

12 MR. HOCHSTEIN: This is the news article by Adam Entous  
13 of July 1st, 2019, entitled "Will Hunter Biden Jeopardize  
14 His Father's Campaign?"

15 MR. KRAMER: Okay. I think we're familiar with the  
16 document. We don't have it in front of us. So if you--

17 MR. DOWNEY: Yes.

18 MR. KRAMER: --would like to just manipulate it on the  
19 screen.

20 MR. DOWNEY: Yeah. Will, can you go to page 8? There.  
21 Right there is perfect.

22 I want to turn your attention, Mr. Hochstein, to the  
23 paragraph that starts with "In December of 2015."

24 MR. HOCHSTEIN: Yes, sir.

25 MR. DOWNEY: So this article, I quote, In December

1 2015, as Joe Biden prepared to return to Ukraine, his aides  
2 brace for a renewed scrutiny of Hunter's relationship with  
3 Burisma. Amos Hochstein, the Obama administration's Special  
4 Envoy for Energy Policy, raised the matter with Biden but  
5 did not go as far as to recommend that Hunter leave the  
6 board. As Hunter recalled, his father discussed Burisma  
7 with him just once saying Dad said I hope you know what  
8 you're doing, and I said I do.

9 Did you speak to Adam Entous for this article?

10 MR. HOCHSTEIN: He called me, and I would not confirm  
11 and would not confirm or deny any parts of what he reported.

12 MR. DOWNEY: Was what he wrote about you not going as  
13 far as to recommend that Hunter leave the board accurate?

14 MR. HOCHSTEIN: I did not--that quote does not come  
15 from me.

16 MR. DOWNEY: Do you know who that would come from?

17 MR. HOCHSTEIN: You would have to ask Mr. Entous. I  
18 did not--I did not discuss my conversation with Vice  
19 President Biden with Adam Entous

20 MR. DOWNEY: Did you recommend that Hunter leave the  
21 board to either Vice President Biden or to Hunter Biden  
22 himself?

23 MR. KRAMER: You can answer that with respect to a  
24 conversation with Hunter Biden. I instruct you not to  
25 answer with respect to any conversation you may or may not

1 have with the Vice President.

2 MR. HOCHSTEIN: In my conversation with Hunter Biden, I  
3 did not recommend that he leave the board.

4 MR. DOWNEY: Why not?

5 MR. HOCHSTEIN: I don't believe that was my place to  
6 have that discussion, one way or the other.

7 MR. DOWNEY: How did Hunter Biden know you had a  
8 conversation with Vice President Biden?

9 MR. HOCHSTEIN: He told me that the Vice President told  
10 him that he had a discussion.

11 MR. DOWNEY: So in late October 2015, you have the  
12 conversation with Vice President Biden about Hunter's  
13 position on Burisma's board. He tells Hunter Biden, and  
14 then sometimes in the beginning of November 2015, you  
15 discuss Burisma with Hunter Biden?

16 MR. KRAMER: Again, we can't confirm or deny anything  
17 about a conversation that may or may not have happened with  
18 the Vice President. Otherwise, he can confirm that's an  
19 accurate statement, if it is.

20 MR. HOCHSTEIN: It is true that I had--I raised the  
21 matter with Vice President Biden. It is true that Hunter  
22 Biden called me--or called--his office contacted my office,  
23 and I did meet with him sometime after that.

24 MR. DOWNEY: And you met with him at the State  
25 Department?

1 MR. HOCHSTEIN: No.

2 MR. DOWNEY: Where did you meet him?

3 MR. HOCHSTEIN: We met at a coffee shop in Georgetown,  
4 I believe.

5 MR. DOWNEY: Was that his idea or your idea?

6 MR. HOCHSTEIN: I would not know. It was on the  
7 schedule that way. Sometimes if I was speaking somewhere or  
8 if I was coming from somewhere, just to coordinate the  
9 schedules, I would--I was at the Four Seasons across the  
10 street, I would--"Let's just meet in a coffee shop." It was  
11 easier.

12 MR. DOWNEY: Biden did not want to meet you at the  
13 State Department headquarters?

14 MR. HOCHSTEIN: No. I don't--I have no idea, but he  
15 went--this request for a meeting went through--formally  
16 through my office at the State Department. I don't think he  
17 was trying to hide it.

18 MR. DOWNEY: And how long did this meeting with Hunter  
19 Biden last?

20 MR. HOCHSTEIN: I couldn't tell you exactly. When is  
21 it? Five years ago? But my guess from the past is that it  
22 was somewhere in 20 minutes or so. It wasn't a long  
23 meeting.

24 MR. DOWNEY: Did you often take meetings outside the  
25 Department when you served at the State Department?

1 MR. HOCHSTEIN: On--it wasn't entirely unusual to have  
2 lunch with people, with foreign ambassadors to--with others,  
3 have coffee, or--I think that's a fairly normal practice  
4 across all administrations. Just walk by any day on the  
5 corner of--Peet's Coffee there on the corner of  
6 Pennsylvania.

7 MR. DOWNEY: So you had meetings with other individuals  
8 like the one you had with Hunter Biden in November of 2015?

9 MR. HOCHSTEIN: When you say meetings like that one,  
10 what do you mean? Do you mean did I have meetings with  
11 people outside the office?

12 MR. DOWNEY: How did you--remind me how you--what was  
13 the meeting with Hunter Biden? Was it over coffee? Was it  
14 at a restaurant? Do you recall?

15 MR. HOCHSTEIN: It was--I probably had a cup of coffee.  
16 It was at a café across the street from the Four Seasons on  
17 M Street.

18 MR. DOWNEY: After this meeting with Hunter Biden, did  
19 you brief people in the State Department?

20 MR. HOCHSTEIN: No.

21 MR. DOWNEY: Why not?

22 MR. HOCHSTEIN: There was nothing to brief.

23 MR. DOWNEY: Why was there nothing to brief?

24 MR. HOCHSTEIN: We had a short coffee where we talked  
25 about how he, his dad, and his sister were doing in the

1 aftermath of his brother's passing, and I repeated in  
2 probably two sentences, my view of the fact that the  
3 Russians were using his presence on the board as part of a  
4 broad effort to undermine the United States anticorruption  
5 efforts in the Ukraine.

6 MR. DOWNEY: And what was Hunter Biden's reaction to  
7 that?

8 MR. HOCHSTEIN: Frustration. I believe I said it  
9 earlier when your colleague asked me that. I think he was--  
10 he had--I think the only thing he said was that he was  
11 focused on the present and the future of the company and not  
12 the allegations regarding the past and that he was  
13 frustrated that this was--that this was happening.

14 MR. DOWNEY: Did you speak with members of Vice  
15 President Biden's staff or to Vice President Biden after  
16 meeting with Hunter Biden in November of 2015?

17 MR. KRAMER: So take that as a yes--you mean about the  
18 meeting with Hunter Biden?

19 MR. DOWNEY: Yes, about the meeting with Hunter Biden  
20 in November of 2015.

21 MR. KRAMER: Take that one, yes.

22 MR. HOCHSTEIN: No.

23 MR. DOWNEY: So I'm going to kind of transition here.  
24 When you served at the State Department, were you familiar  
25 with Blue Star Strategies?

1 MR. HOCHSTEIN: I became aware and familiar with them  
2 at some point.

3 MR. DOWNEY: Did you know the firm's CEO, Karen  
4 Tramontano?

5 MR. HOCHSTEIN: I actually did not know Karen. I knew  
6 her by reputation, but I did not know her personally.

7 MR. DOWNEY: Did you know Blue Star's COO, Sally  
8 Painter?

9 MR. HOCHSTEIN: I did.

10 MR. DOWNEY: How did you know Sally Painter?

11 MR. HOCHSTEIN: Our paths had crossed probably 20 years  
12 earlier. I forget exactly where. I believe she worked for  
13 a former Congressman that I knew back in the '90s, so  
14 literally 20 years earlier. So I knew her in that way, but  
15 I did not know Blue Star.

16 MR. DOWNEY: How did you communicate with Sally Painter  
17 or Karen Tramontano?

18 MR. HOCHSTEIN: Sally contacted me. I don't remember  
19 how, the first time. She may have called--but I don't  
20 recall--and said they were working on something in Ukraine  
21 and wanted to chat with me.

22 MR. DOWNEY: Do you recall when that conversation or  
23 that request came in?

24 MR. HOCHSTEIN: Probably sometime in maybe late  
25 November, maybe early December. I don't remember. I think

1 maybe late November, but I'm not 100 percent.

2 MR. DOWNEY: November 2015?

3 MR. HOCHSTEIN: Yeah, yeah, sometime in that latter  
4 part of November.

5 MR. DOWNEY: So when did you become aware that Blue  
6 Star Strategies represented Burisma?

7 MR. HOCHSTEIN: When Sally, I think, and Karen came to  
8 my office.

9 MR. DOWNEY: And this was either late November 2015,  
10 early December 2015?

11 MR. HOCHSTEIN: It may have been December 2015. I  
12 remember there was an issue. I was about to go to Ukraine;  
13 we were going to meet before or after. But I don't remember  
14 exactly. I don't [inaudible].

15 MR. DOWNEY: So this is around the same period Vice  
16 President Biden is going to Ukraine in the first week of  
17 December of 2015?

18 MR. HOCHSTEIN: I think that I didn't meet with them  
19 until after, but I'm not 100 percent sure. But I don't--I'm  
20 not sure. I may have met them before. Sorry.

21 MR. DOWNEY: So in December of 2015, you met with Karen  
22 Tramontano and Sally Painter?

23 MR. HOCHSTEIN: Yeah. I definitely met with Sally. I  
24 don't remember if Karen participated in that particular  
25 meeting.

1 MR. DOWNEY: Did the meeting occur at the State  
2 Department?

3 MR. HOCHSTEIN: Yes.

4 MR. DOWNEY: Did anyone else attend that meeting with  
5 Sally Painter from Blue Star's team?

6 MR. HOCHSTEIN: They may have. I don't remember.

7 MR. DOWNEY: John Buretta of Cravath ring a bell?

8 MR. HOCHSTEIN: I met with him more than once, and I  
9 definitely remember that Mr. Buretta joined one of the  
10 meetings, but not--I don't believe he joined the first one.

11 MR. DOWNEY: So in your first meeting with Blue Star  
12 Strategies, did the topic of Burisma come up with you?

13 MR. HOCHSTEIN: Yes.

14 MR. DOWNEY: What was Blue Star seeking to learn from  
15 you in that meeting?

16 MR. HOCHSTEIN: Blue Star informed me that--or I should  
17 say Sally and her team informed me that they were looking  
18 into--that they'd been hired by Burisma or by the Burisma  
19 board--I don't remember which one; it may have been the  
20 board--to look into the accusations against Mr. Zlochevsky  
21 and Burisma and to give an assessment of the veracity of the  
22 charges against Burisma--or, sorry, against Zlochevsky. And  
23 they asked for my views on that, and they told me that they  
24 were going to be traveling and they would be talking to a  
25 number of people in order to get an accurate assessment and

1 to have an independent report. That is what they told me  
2 when they first met me.

3 MR. DOWNEY: What did you provide to Blue Star during  
4 that meeting?

5 MR. HOCHSTEIN: I told them that I believed that Mr.  
6 Zlochevsky faced real and credible accusations; that I  
7 believed that it was unfortunate that he wasn't being  
8 prosecuted for them; and that I was still holding out hope  
9 that there would be a cooperation by the Ukrainian  
10 prosecutor's office to support these investigations; and I  
11 urged them to--I was happy that they were looking into it  
12 and hoped that they would produce a report that supported  
13 those allegations.

14 MR. DOWNEY: During the meeting in December of 2015  
15 with Blue Star Strategy officials, did they provide you any  
16 briefing papers or documents regarding the company Burisma?

17 MR. HOCHSTEIN: Not in the first meeting, no.

18 MR. DOWNEY: What was the reaction to what you told  
19 them during this December 2015 meeting that you thought the  
20 allegations against Mr. Zlochevsky were serious?

21 MR. KRAMER: And, Brian, just real quickly, you keep  
22 saying the December 2015 meeting, and Amos has said it was  
23 somewhere around that, he is not positive of the date. I  
24 think it's fine to keep doing it that way. I just want the  
25 record to reflect that Amos said that he was not certain as

1 to exactly when that date was.

2 MR. DOWNEY: Understood.

3 MR. HOCHSTEIN: You asked what their reaction was to  
4 my--to me, right?

5 MR. DOWNEY: Correct.

6 MR. HOCHSTEIN: They were pretty straight up. They  
7 said, look, we are just at the beginning; we are looking  
8 into this; we're going to want to talk to--to get a better  
9 understanding, and we'd like your help in doing this, and  
10 your support. And I said that if they were conducting this  
11 investigation, I would be happy to be helpful if I can.

12 MR. DOWNEY: So Blue Star was conducting an  
13 investigation? Did I hear you correctly?

14 MR. HOCHSTEIN: They said that they were hired to look  
15 into this, and maybe they didn't use the word  
16 "investigation." Maybe they were saying they were looking  
17 into the accusation against Burisma and that they were going  
18 to have an independent report that they were going to put  
19 together for the board--or for the company. I don't  
20 remember if it was the board.

21 MR. DOWNEY: So when you provided your view of the  
22 allegations against Mr. Zlochevsky, were you speaking what  
23 the State Department's position was, the U.S. Government's  
24 position was, or just yourself?

25 MR. HOCHSTEIN: I was speaking as--I don't think that

1 one could have separated that. I was speaking as a U.S.  
2 official, even telling them that that's what I believed as a  
3 U.S. official, that was our view. And they were already  
4 aware--it wasn't in doubt. In other words, they came in and  
5 said we are aware that the U.S. Government has these  
6 accusations; we want to hear what your thoughts were outside  
7 of, you know, sort of chatter. Can you share--you know, is  
8 it accurate? Are those impressions on the outside that the  
9 U.S. Government has these views true? And I said they were,  
10 and I expanded.

11 MR. DOWNEY: During this first meeting with Blue Star  
12 officials, did you provide any insight of the months prior  
13 in your discussions that you had with Vice President Biden  
14 regarding Hunter Biden being on Burisma's board or the fact  
15 that you discussed at the beginning of November of 2015  
16 Burisma with Hunter Biden?

17 MR. HOCHSTEIN: I shared none of that.

18 MR. DOWNEY: Why not?

19 MR. HOCHSTEIN: I didn't think it was their business.

20 MR. DOWNEY: Did they mention the fact that Hunter  
21 Biden served on Burisma's board during this meeting?

22 MR. HOCHSTEIN: They wanted to make sure that--they  
23 told me that they were aware--I don't know how to  
24 characterize it. They did mention that he was on the board  
25 along with--that there was a new--relatively new board over

1 the last year or so that was established including Hunter  
2 Biden and the former President of Poland and some guy from,  
3 I think it was, Morgan Stanley or Goldman or some such.

4 MR. DOWNEY: Were you concerned that Hunter Biden  
5 served on Burisma's board when there was such serious  
6 allegations against its owner, Mr. Zlochevsky?

7 MR. HOCHSTEIN: My concern really was about how to make  
8 sure that Mr. Zlochevsky was prosecuted, and that we--that I  
9 conducted all the other efforts to pursue the goals of the  
10 administration. So his seat on the board, as I said before,  
11 whether it was with Blue Star or others, did not impact me  
12 or impact my work.

13 MR. DOWNEY: During this first meeting with Blue Star  
14 officials, did they discuss their upcoming trip to Ukraine?

15 MR. HOCHSTEIN: They mentioned that they were going to  
16 Ukraine.

17 MR. DOWNEY: Did they provide any more detail to you?

18 MR. HOCHSTEIN: Not at that time. I think at some  
19 point they asked me for help with securing a meeting with  
20 Ambassador Pyatt, and I said that I would make a  
21 recommendation.

22 MR. DOWNEY: So you did secure a meeting between Blue  
23 Star and Ambassador Pyatt?

24 MR. HOCHSTEIN: No. I said that if they needed my  
25 help, I would be happy to secure--to make a recommendation

1 that they meet with him, again, under the guise that they  
2 were trying--at that time, my knowledge at the time was that  
3 they were looking to conduct an independent report on  
4 whether or not there was veracity to the wrongdoings by  
5 Zlochevsky.

6 MR. DOWNEY: Do you know if Blue Star Strategies ever  
7 completed that report?

8 MR. HOCHSTEIN: Yes, they did--I believe they did. I  
9 did not see it, though.

10 MR. DOWNEY: Do you know who might have seen the  
11 report?

12 MR. HOCHSTEIN: I don't know.

13 MR. DOWNEY: Do you know if Blue Star Strategies  
14 provided that report to other State Department officials?

15 MR. HOCHSTEIN: I don't know. And I do want to say I  
16 may--I may have received their--they may have showed me  
17 their report, but I don't recall. They shared the  
18 conclusions, but I don't know if I actually saw the physical  
19 report.

20 MR. DOWNEY: And what were the conclusions of that  
21 report?

22 MR. HOCHSTEIN: They told me that they believed that  
23 Zlochevsky was tried, prosecuted, and the charges against  
24 him were dismissed by the U.K. and, therefore, there was no  
25 reason to hold him responsible since the judicial system

1 worked.

2 MR. DOWNEY: Did you agree with that report?

3 MR. HOCHSTEIN: I strongly disagreed with it.

4 MR. DOWNEY: Did you let Blue Star officials know that  
5 disagreement?

6 MR. HOCHSTEIN: I was very clear about my views that I  
7 disagreed--

8 MR. DOWNEY: And what--sorry. What was Blue Star's  
9 reaction to your disagreement?

10 MR. HOCHSTEIN: They clearly did not agree with me, and  
11 I expressed my disappointment.

12 MR. DOWNEY: Do you know how Blue Star had constructed  
13 this report? What were their sources? What were their--  
14 what was their factual evidence that obviously in the end  
15 you didn't agree with?

16 MR. HOCHSTEIN: All I can tell you is what they told  
17 me, and they had hired a well-respected former Department of  
18 Justice career official, Mr. Buretta. I did not know Mr.  
19 Buretta then or now, so I don't know--I can't speak to his  
20 credentials. They claim that they had conducted a thorough  
21 investigation but there was all accusations and mud-slinging  
22 in Ukraine between all kinds of businessmen accusing each  
23 other of things, and that the ultimate proof was that there  
24 was a case and the judge--I forget the language that the  
25 judge in U.K. used, but it said that there was no facts--

1 factual basis for it and threw it out, and they were largely  
2 hanging their hat on that.

3 MR. DOWNEY: Okay. Well, we're going to go to--this  
4 will be, I think, Exhibit 5, which is at Tab 13, and the  
5 Bates number is 1125. If you could pull that up? Thank  
6 you.

7 [Hochstein Exhibit No. 5 was  
8 marked for identification.]

9 MR. DOWNEY: If you could scroll down. So on March 21,  
10 2016, according to this State Department document, Blue Star  
11 officials requested a meeting with you, Mr. Hochstein. In  
12 this email, a Blue Star official wrote: "I understand you  
13 have previously met with Sally Painter regarding energy  
14 issues in Ukraine, and she is hoping to brief you on a  
15 sensitive energy matter ahead of President Poroshenko's  
16 upcoming visit to D.C. next week."

17 Did this meeting between you and Blue Star officials  
18 occur in March of 2016?

19 MR. HOCHSTEIN: I believe this was the meeting where we  
20 had our disagreement.

21 MR. DOWNEY: Did John Buretta attend this meeting?

22 MR. HOCHSTEIN: I believe so.

23 MR. DOWNEY: Who else attended this meeting?

24 MR. HOCHSTEIN: Karen Tramontano.

25 MR. DOWNEY: So it was Karen Tramontano, John Buretta,

1 and Sally Painter?

2 MR. HOCHSTEIN: Yeah.

3 MR. DOWNEY: Did Blue Star mention its meetings with  
4 other State Department officials with you during this March  
5 2016 meeting?

6 MR. HOCHSTEIN: I don't believe so. I'm not--but I  
7 couldn't be--I cannot be certain.

8 MR. DOWNEY: Did Blue Star officials discuss with you  
9 ever meeting with Ambassador Pyatt during this March 2016  
10 meeting?

11 MR. HOCHSTEIN: They may have.

12 MR. DOWNEY: And what did they tell you about their  
13 meeting with Ambassador Pyatt?

14 MR. HOCHSTEIN: I believe--

15 MR. KRAMER: Again, don't speculate about what you  
16 think may have happened.

17 MR. HOCHSTEIN: All I recall is they were equally  
18 frustrated with their meeting with Ambassador Pyatt, who had  
19 repeated what he had said in public.

20 MR. DOWNEY: Why did you accept this meeting with Blue  
21 Star Strategies in March of 2016?

22 MR. HOCHSTEIN: Because until that meeting I was still  
23 under the impression from the first meeting that they were  
24 looking to conduct a report. I was--I didn't have an issue  
25 with meeting with them again and hearing where they were in

1 their process.

2 MR. DOWNEY: Was your view or the U.S. Government's  
3 view of Burisma different from when Blue Star first met you  
4 in December of 2015?

5 MR. HOCHSTEIN: No.

6 MR. DOWNEY: Did Blue Star officials or Mr. Buretta in  
7 this March 2016 meeting discuss the prosecutor general  
8 office with you?

9 MR. HOCHSTEIN: I don't recall.

10 MR. DOWNEY: Did Blue Star officials discuss Ukraine  
11 President Poroshenko's planned March 2016 trip to D.C. with  
12 you?

13 MR. HOCHSTEIN: I really have no idea. I don't  
14 remember.

15 MR. DOWNEY: Did Blue Star--go ahead, sir.

16 MR. HOCHSTEIN: No, I just don't recall the details of  
17 the conversation, I recall sort of the conclusion of what I  
18 walked away from--what I walked away with from the  
19 [inaudible].

20 MR. DOWNEY: And during this March 2016 meeting with  
21 Blue Star officials, they provided you a report?

22 MR. HOCHSTEIN: I don't know if they provided me--as I  
23 said earlier, I don't recall if they gave me a physical  
24 report. I don't actually remember ever getting a report,  
25 but I just can't be sure. They gave me a verbal view of

1 where they stood. I don't [inaudible] the conclusion.

2 MR. DOWNEY: Did Blue Star officials request anything  
3 from you during this March 2016 meeting?

4 MR. HOCHSTEIN: They were unhappy with the rhetoric  
5 from U.S. officials, myself included, regarding Mr.  
6 Zlochevsky. But that's about it.

7 MR. DOWNEY: Did they discuss with you any upcoming  
8 trips they had planned to Ukraine?

9 MR. HOCHSTEIN: In this meeting, in the March meeting?

10 MR. DOWNEY: Yes, sir.

11 MR. HOCHSTEIN: I don't--I don't know.

12 MR. DOWNEY: In this March 2016 meeting with Blue Star  
13 officials, did you offer to do anything on Blue Star's  
14 behalf?

15 MR. HOCHSTEIN: No.

16 MR. DOWNEY: Okay. I think we're close to our time  
17 being up. I'm going to kick it over to Josh Flynn-Brown of  
18 Chairman Grassley's office and then go from there.

19 MR. FLYNN-BROWN: Mr. Hochstein, can you hear me okay?

20 MR. HOCHSTEIN: I can hear you, but I cannot see you--  
21 oh, now I can see you.

22 MR. FLYNN-BROWN: Let me move the camera. The camera  
23 lens was blocked there. Good to go? Okay. Great.

24 Mr. Hochstein, do you know whether Burisma served as a  
25 vehicle to enrich Ukrainian Government officials?

1 MR. HOCHSTEIN: I don't--I don't know.

2 MR. FLYNN-BROWN: Would it surprise you if it did?

3 MR. HOCHSTEIN: I just don't know.

4 MR. FLYNN-BROWN: Would you agree that Burisma is a  
5 corrupt company?

6 MR. HOCHSTEIN: I would agree that Burisma was involved  
7 in--that I believe that they probably did conduct--that they  
8 were a corrupt company during a certain period of time. I  
9 don't know about their activities post [inaudible].

10 MR. FLYNN-BROWN: So what period of time would you say  
11 that they were a corrupt company?

12 MR. HOCHSTEIN: Again, I don't--I'm not a prosecutor,  
13 but it was my view that during the time that Mr. Zlochevsky  
14 left his office in government--and while he was in  
15 government in the earlier 2000s when the leases were being  
16 given to Burisma, I think that was a period of time in which  
17 those transactions seemed questionable.

18 MR. KRAMER: So let me interrupt because we've been  
19 going a little bit over an hour, so I think it's time just  
20 to switch off, take a quick break, and then we can wrap this  
21 thing up with Session 4.

22 MR. FLYNN-BROWN: I just have several questions here.  
23 I'd like to finish the line of inquiry if it's okay with  
24 you. But if you would very much prefer a break, we can take  
25 5 minutes right now?

1 MR. KRAMER: Yeah, I would prefer the break. We talked  
2 about this in advance. We agreed on the hour, the hour, the  
3 hour, the hour, and that's what we'll do.

4 MR. FLYNN-BROWN: Okay, then we will--

5 MR. SCHRAM: Josh, how much time do you think you have  
6 left on that specific line of questions?

7 MR. FLYNN-BROWN: You know, I think it's anywhere  
8 between 5 and 7 minutes, no more.

9 MR. SCHRAM: Between 5 and 7 minutes?

10 MR. FLYNN-BROWN: Correct.

11 MR. SCHRAM: Okay. Why don't we take our break? And  
12 if that wraps your period of questioning, I'd be fine to  
13 have you take your 5 minutes and then we'll go.

14 MR. FLYNN-BROWN: Thank you. I appreciate that. So  
15 we'll reconvene at 1:55.

16 MR. HOCHSTEIN: Okay.

17 [Recess.]

18 MR. FLYNN-BROWN: Okay. Let's go back on the record.  
19 It's 1:56.

20 Did you have anything--I know we had to take a quick  
21 break, but did you have anything to add to your answer with  
22 respect to the timeline in which you believed Burisma was a  
23 corrupt company?

24 MR. HOCHSTEIN: No.

25 MR. FLYNN-BROWN: So while Hunter Biden was a member of

1 the board, do you believe that Burisma was a corrupt company  
2 at that time?

3 MR. HOCHSTEIN: I have no idea.

4 MR. FLYNN-BROWN: Was it the U.S. government's view  
5 that Burisma was a corrupt company at that time when he was  
6 on the board?

7 MR. HOCHSTEIN: The U.S. government is a euphemism. To  
8 my knowledge and my recollection, we concentrated most of  
9 our efforts on Zlochevsky at an earlier time, but I can say  
10 for certain that that view is [inaudible].

11 MR. FLYNN-BROWN: That Hunter Biden was on the board of  
12 Burisma, was it the State Department's view that Zlochevsky  
13 was corrupt?

14 MR. HOCHSTEIN: I didn't mean up--is not about what you  
15 do today or tomorrow. If you did it yesterday, you're still  
16 a corrupt guy, and I think there was a dim view of him.

17 MR. FLYNN-BROWN: Can you repeat that?

18 MR. HOCHSTEIN: I think there was a dim view of Mr.  
19 Zlochevsky.

20 MR. FLYNN-BROWN: And what was that dim view based on?

21 MR. HOCHSTEIN: The past actions when he was minister  
22 of ecology and I think a frustration with the collapse of  
23 the case in the UK.

24 MR. FLYNN-BROWN: Do you know whether Burisma served as  
25 a vehicle to enrich Ukrainian political parties?

1 MR. HOCHSTEIN: Yeah. You've asked me that before. I  
2 really--I'm not--I don't--I don't know. I don't know that I  
3 have any information about that.

4 MR. FLYNN-BROWN: Are you aware of whether or not  
5 Burisma and Zlochevsky took directions from the Ukrainian  
6 government or any Ukrainian government officials?

7 MR. HOCHSTEIN: Not to my knowledge. Look, the way the  
8 Ukraine works is really complicated, and people that--you  
9 know, there are all kinds--outsiders have a hard time  
10 understanding some of the behind-the-scenes conversation.  
11 So I can't say that I know specifically about his  
12 relationships with Ukrainian government officials.

13 MR. FLYNN-BROWN: Given Mr. Zlochevsky's reputation,  
14 would it surprise you if he did take directions from the  
15 Ukrainian government or any Ukrainian government officials?

16 MR. HOCHSTEIN: Very little surprises me with Ukraine,  
17 but I have no knowledge.

18 MR. FLYNN-BROWN: Are you aware of whether or not  
19 Burisma and Zlochevsky took directions from any political  
20 party?

21 MR. HOCHSTEIN: I'm not aware.

22 MR. FLYNN-BROWN: Would it surprise you if they did?

23 MR. HOCHSTEIN: I honestly don't know. Again, I think  
24 things are not--in Ukraine, things are rarely linear if one  
25 gives an instruction to the other. Things are really

1 complicated, and they're usually more than meets the eye.

2 But I don't know [inaudible].

3 MR. FLYNN-BROWN: Do you believe that Blue Star's  
4 intents when they met with you and other State Department  
5 employees was to alter or influence U.S. policy with respect  
6 to Zlochevsky?

7 MR. HOCHSTEIN: That's a difficult question. I think  
8 he certainly wanted me to know of the interview of Mr.  
9 Zlochevsky and that they were frustrated with--did not agree  
10 with the U.S. government officials' view of Mr. Zlochevsky.  
11 Am I answering your question? Sorry.

12 MR. FLYNN-BROWN: Well, I'd like a more direct one, to  
13 be honest with you.

14 [Laughter.]

15 MR. FLYNN-BROWN: I can restate the question if you'd  
16 like.

17 MR. HOCHSTEIN: They did not like my answer, and they  
18 tried to convince me otherwise.

19 MR. FLYNN-BROWN: Did you ever talk to Hunter Biden  
20 about any of his other business associations, or was it just  
21 limited to Burisma?

22 MR. HOCHSTEIN: I never had any other conversation with  
23 Hunter Biden about his business activities.

24 MR. FLYNN-BROWN: Other than Burisma, are you aware of  
25 Hunter Biden's business connections to other foreign

1 companies or foreign nationals?

2 MR. HOCHSTEIN: I don't believe that I am.

3 MR. FLYNN-BROWN: Okay. Thank you, Mr. Hochstein.

4 Zack, over to you.

5 MR. SCHRAM: Thanks, Josh. Dan Goshorn is going to  
6 kick off this round for us.

7 MR. GOSHORN: Hello again, Mr. Hochstein.

8 So it's my understanding that you currently serve on  
9 the board of Naftogaz; is that correct?

10 MR. HOCHSTEIN: That is correct. The supervisory-

11 MR. GOSHORN: Go ahead. Sorry.

12 MR. HOCHSTEIN: The supervisory board.

13 MR. GOSHORN: Can you describe what that means?

14 MR. HOCHSTEIN: During post Maidan, we were--we the  
15 international community were concerned that a lot of money  
16 from donors, i.e., the IFI's, international financial  
17 institutions, the U.S. government, the Brussels, Germany  
18 were giving money to Ukraine, and with a history of  
19 corruption, we were concerned.

20 One of the ideas that I was involved with coming up  
21 with was together with the EU and the EBRD and IMF.

22 For the court reporter, EBRD is the European Bank for  
23 Reconstruction and Development.

24 That there would be a supervisory board to the--to  
25 public state-owned entities, such as Naftogaz, where the

1 majority of the members serving on the board would be  
2 international people, non-Ukrainians, and the others would  
3 be appointed by the president and prime minister of Ukraine,  
4 so a division between independent and dependent versus  
5 dependent.

6 We set up that board where the EBRD and the IMF helps  
7 with the selection of the members of the international, and  
8 then the president and prime minister appointed them.

9 When the first crew if internationals resigned, I was  
10 asked by--originally, it was by the EBRD and by the IMF if I  
11 would join the supervisory board which has a dual purpose,  
12 one to support Naftogaz and as a company, as any board would  
13 do, and the second would be to support the management and  
14 ensure that corruption was not taking hold in the company.  
15 And therefore, no vote on that board can be taken unless a  
16 majority of the internationals was in favor.

17 MR. GOSHORN: And in the Ukraine energy sector, how  
18 does Naftogaz compare to Burisma in size and importance?

19 MR. HOCHSTEIN: Naftogaz is the incumbent. It is very  
20 important. It is the--by far, the largest producer. It  
21 also owns other assets and is state-owned. Burisma is a  
22 relatively insignificant company.

23 MR. GOSHORN: So as you, I'm sure, know, last fall the  
24 House of Representatives initiated an impeachment inquiry  
25 against the President for using the Office of the Presidency

1 to pressure Ukraine President Zelensky to launch an  
2 investigation into one of his political rivals, Vice  
3 President Biden, much like the one you're currently  
4 testifying in today.

5 Notably, the House of Representatives subpoenaed then  
6 Energy Secretary Rick Perry during this inquiry over his  
7 role in the President's pressure campaign against the  
8 Ukraine. He refused to comply with the subpoena and instead  
9 announced his resignation shortly thereafter.

10 Recent reporting has shed more light on Secretary  
11 Perry's efforts in Ukraine, including the alleged misuse of  
12 his office and Department of Energy resources, to pressure  
13 Naftogaz to cut deals worth billions of dollars with  
14 American companies in which he and his political donors held  
15 financial interests. This investigation, however, is only  
16 focused on Burisma, a private--as you said, much smaller  
17 natural gas company operating in Ukraine.

18 Ranking Member Wyden has repeatedly requested  
19 information from the Trump administration related to its  
20 involvement in Ukraine, including as a part of this  
21 investigation and including in its efforts to intervene in  
22 the Ukraine natural gas industry. This information has not  
23 been provided, although there is a substantial reason to  
24 believe that these efforts and related means and  
25 communications occurred.

1           In May of 2019, Secretary Perry traveled to Ukraine to  
2 attend President Zelensky's inauguration. On that trip, he  
3 reportedly personally handled President Zelensky a list of  
4 names of American individuals, including Michael Bleyzer, a  
5 longtime Perry donor, and Robert Bensch, another oil and gas  
6 executive from Texas.

7           One month after Secretary Perry's visit, Mr. Bleyzer's  
8 company won a license to develop oil and gas fields in  
9 Ukraine potentially worth billions of dollars, and earlier  
10 this year, President Zelensky also appointed Mr. Bensch to  
11 the Naftogaz board.

12           Is that correct? Are you familiar with that?

13           MR. HOCHSTEIN: I'm familiar with all of it. It's  
14 almost entirely correct. I think Mr. Bensch was appointed to  
15 the board, but he has not taken his seat on the board just  
16 yet. I have said that I would resign if he was able to take  
17 a seat.

18           MR. GOSHORN: Okay. Are you aware of the Trump  
19 administration's efforts to influence President Zelensky?

20           MR. HOCHSTEIN: Yes.

21           MR. GOSHORN: Can you describe those efforts?

22           MR. HOCHSTEIN: So within the--I was asked to meet  
23 with--you want me to go through each of the instances, each  
24 of the examples?

25           MR. GOSHORN: Sure.

1 MR. HOCHSTEIN: In May of 2019, I believe it was May  
2 7th, I was asked on an urgent basis to come and see Mr.  
3 Zelensky. He had won his election but had--was just a few,  
4 couple weeks away from serving--of swearing in and taking  
5 over as president.

6 I was invited to the meetings with him, his chief of  
7 staff, and his number two. And I was there with the CEO of  
8 Naftogaz. He wanted to cover two areas. One was the energy  
9 corruption in Ukraine and the second to get my advice and  
10 guidance on how to manage the legacy that was left behind  
11 for him of pressure to investigate Mr. Biden.

12 We spent the time talking about how to respond to that,  
13 how to respond to Mr. Giuliani's impending visit that he was  
14 very concerned about.

15 There were--after the inauguration--I received the day  
16 of the inauguration that was--the delegation from the U.S.  
17 was led by Secretary Perry, Kurt Volker, and I forget. I  
18 think Mr. Vindman, and I forget his name, the ambassador to  
19 Brussels at the time. Sondland. I was called by a number  
20 of people in Mr. Zelensky's orbit to say that Mr. Perry had  
21 given a list of a couple of names that he would like to see  
22 on the board of Naftogaz. He expressed his opposition to  
23 the CEO of Naftogaz, someone who is apparently the top  
24 anticorruption reformers in the country, and then that was  
25 formally in the media. And then privately to a number of

1 officials said, "You need to replace Mr. Hochstein with Mr.  
2 Bensch or Bleyzer."

3 MR. GOSHORN: Who? Who said that? I'm sorry.

4 MR. HOCHSTEIN: Mr. Perry allegedly had told that to a  
5 number of officials saying that what he meant was that the  
6 American on the board should not be the Obama-Biden guy. It  
7 should be one of his guys, Mr. Bensch.

8 In September of 2019, at the summit in Poland, there  
9 was an attempt by--the Ukrainian government was asked by the  
10 U.S. Department of Energy officials to sign an MOU with a  
11 company called LNGE, Louisiana Natural Gas Exports.  
12 Naftogaz was asked by the government to do so. I was asked  
13 by the CEO if I knew the company. I had never heard of  
14 them. They were essentially a company with no assets  
15 whatsoever, no money, no assets, no LNG, in fact, and we--I  
16 said we--as a board member, I said we have to resist signing  
17 such an MOU. And ultimately, there was also some--a former  
18 conviction of corruption of the CEO. That pressure,  
19 however, continued, and ultimately, earlier this year, the  
20 government of Ukraine signed an MOU with LNGE, this company  
21 that has no assets, which essentially was to pressure  
22 Ukraine to buy LNG from the United States, despite the fact  
23 that commercially that was a totally non-doable deal because  
24 it was going to be way too expensive. And LNGE was  
25 essentially corrupt.

1           It turned out that Robert Bensch who Secretary Perry was  
2 pushing as a--his representative was related to this  
3 company, and they were pushing for him to be on the board of  
4 Naftogaz while also having his company secure a very  
5 important contract with--Naftogaz with Ukraine.

6           Just as a reminder, Mr. Bensch was being supported so  
7 thoroughly by the Department of Energy to this day, as  
8 someone who was discovered by the Veterans Organization of  
9 America for lying on his bio for 25 years saying that he was  
10 a Special Forces winner of all kinds of medals when, in  
11 fact, he never served outside the country ever.

12           So there were other areas of--I won't go through the  
13 rest of the list, but there are a lot of areas where there  
14 was pressure being placed on the Ukrainian government and on  
15 Naftogaz to do things that were not in the commercial,  
16 economic, or national interest of Ukraine.

17           MR. GOSHORN: I just want to clarify that. What you  
18 just described in your words were--there was an effort by  
19 the Trump administration to influence Ukraine to take  
20 actions that were not in its financial or economic interest;  
21 is that correct?

22           MR. HOCHSTEIN: That were not in its interest. That's  
23 right.

24           MR. GOSHORN: And so after Secretary Perry gave--  
25 reportedly gave this list to President Zelensky, one of his

1 associates was awarded a lucrative license for LNG, and the  
2 other got a seat--is in a position to get a seat on the  
3 board of Naftogaz?

4 MR. HOCHSTEIN: Just to clarify, Mr. Bleyzer's contract  
5 that he was awarded was despite the fact that he was not  
6 highest bidder in that process. Other company was--bids  
7 were higher, and therefore, Ukraine chose a bid that paid  
8 itself less.

9 MR. GOSHORN: Do you consider the actions of the Trump  
10 administration officials in Ukraine to be potentially  
11 improper?

12 MR. HOCHSTEIN: Yes.

13 MR. GOSHORN: Are you aware of any other actions of  
14 Trump administration officials or associates in Ukraine that  
15 you consider to be potentially improper?

16 MR. HOCHSTEIN: Well, as I alluded to before earlier in  
17 the day, in 2019, I was told by Ukrainian officials about a  
18 fantastical story that I did not believe for a second, and  
19 that was that Mr. Lutsenko, the prosecutor general, had  
20 flown to New York and met with Mr. Giuliani, and that they  
21 were going to do all these--a dirt campaign on Mr. Biden. I  
22 did not believe it, and they told me, "No, no. Here's how  
23 it's going to work. There's going to be--they're going to  
24 get rid of Masha Yovanovitch as ambassador." As I said, I  
25 did not believe this until it played out exactly as

1 described.

2           So the efforts of--those efforts set the tone for the  
3 next year and a half of pressuring Ukraine to--on the  
4 government of Ukraine, successive governments of Ukraine in  
5 a way that I think were against the interest of Ukraine but  
6 also against the interest of the U.S.-Ukraine and the U.S.  
7 interests in Europe and the former Soviet Republic areas.

8           MR. GOSHORN: If the chairmen running this  
9 investigation were genuinely interested in looking for  
10 American policymakers with conflicts of interest in Ukraine,  
11 would you think this would be a good place to start looking?

12          MR. HOCHSTEIN: So, first, I do not want to address  
13 motives of members of the United States Senate, and I will  
14 just address the actions.

15          I think there is--the areas that you mentioned earlier  
16 are merit for a review by the committees.

17          MR. GOSHORN: Thank you.

18          Zack?

19          MR. SCHRAM: Mr. Kramer, I know that we've gone over  
20 the time you've allotted for this interview. I just wanted  
21 to--I have only a few more minutes. Checking on timing on  
22 your end.

23          MR. KRAMER: That's fine, yeah.

24          MR. SCHRAM: Mr. Hochstein, in the last hour, the  
25 majority disputed that the letter Chairman Johnson signed

1 with the Ukraine Caucus in support of reforms of the  
2 prosecutor general's office referred specifically to the  
3 firing of Prosecutor General Shokin. I'm marking as Exhibit  
4 D an article published in The Hill on October 3, 2019.

5 [Hochstein Exhibit D was  
6 marked for identification.]

7 MR. HOCHSTEIN: I can see it. I can see it.

8 MR. SCHRAM: The headline is "GOP Senator says he  
9 doesn't remember signing 2016 letter urging `reform' of  
10 Ukraine prosecutor's office."

11 Drawing your attention to the quote that starts on the  
12 bottom of the first page, "Johnson did acknowledge the  
13 letter in an interview Thursday on WIBA's `The Vicki McKenna  
14 Show,' saying `The whole world, by the way, including the  
15 Ukrainian caucus, which I signed the letter, the whole world  
16 felt that this that Shokin wasn't doing a [good] enough job.  
17 So we were saying hey you've...got to rid yourself of  
18 corruption."

19 Although Senator Johnson didn't recall signing the  
20 letter, based on his own words, did you understand him to  
21 have supported the policy of removing Prosecutor General  
22 Shokin?

23 MR. HOCHSTEIN: It was our understanding at the time  
24 that the Ukraine Caucus supported removing Shokin. I knew  
25 that some of my colleagues from the State Department had

1 briefed the bipartisan group of Senators that cared about  
2 Ukraine about this. I met with a number of members of the  
3 caucus on both sides of the aisle at the time as well, and  
4 we always felt that we had full support of the United States  
5 Senate on this, on removing Shokin.

6 MR. SCHRAM: Mr. Hochstein, the majority asked you  
7 several times today about the appearance of a conflict of  
8 interest and its impact on U.S. policy. You have repeatedly  
9 said that there was no impact on U.S. policy. Over the  
10 course of their many questions, your answer remained the  
11 same. You stated, "The facts negated the theory about the  
12 conflict of interest."

13 For the last time, what facts negated the theory about  
14 the conflict of interest?

15 MR. HOCHSTEIN: Vice President Biden was the lead  
16 counter-Russian influence in Europe and counter-corruption  
17 in Ukraine. I do want to stress we are talking today about  
18 Ukraine as though it is an insulated policy item of the  
19 United States when, in fact, Ukraine was--the whole point is  
20 that it was part of Europe. We were trying--this was a  
21 U.S.-Europe--we were trying to make Ukraine part of Europe.  
22 It was physically interconnected. The gas pipelines were  
23 the most obvious one, but there were more areas there. The  
24 Russian efforts in Ukraine were not only in Ukraine. They  
25 were in Hungary and in Bulgaria and in Romania and in

1 Croatia and throughout Eastern Europe.

2         So the facts were that the Vice President of the United  
3 States was leading the effort against Russia's interests to  
4 divide Europe and to pull countries through corruption  
5 towards an alliance with Russia versus an alliance with the  
6 United States and the West.

7         Number two, we cared deeply and the Vice President  
8 cared deeply about the future of Ukraine and even gave sort  
9 of an emotional speech on the floor of the Rada to the  
10 parliament about this moment in time that he believed that  
11 they had an opportunity to reform. We spent as an  
12 administration a tremendous amount of effort on rooting out  
13 corruption, putting in place mechanisms that would allow for  
14 a new kind of business atmosphere and without corruption and  
15 more transparent.

16         The Vice President led those efforts in the sense that  
17 we did a lot of the work when I needed his help, as  
18 evidenced by some of those phone conversations that were,  
19 unfortunately, leaked where he used my name. I did bring to  
20 his attention when I thought that it was rising to the level  
21 where reformists were trying to get--were about to be thrown  
22 out of their office by the Prime Minister or by the  
23 President's people or others.

24         So the Vice President was deeply engaged in the  
25 anticorruption movement and efforts. The fact that Hunter

1 Biden was on the board was known in Ukraine from 2014 until  
2 the end of the administration, and yet the Ukrainian  
3 Government never doubted the ferociousness of the Vice  
4 President's caring about the corruption issue. It led at  
5 one point to a real confrontation between the Vice President  
6 and President Poroshenko that I was there for at the UN  
7 General Assembly where it was heated, all about corruption.

8       So the facts are that we fought corruption, that we  
9 continued to fight corruption, that everybody knew that  
10 Hunter Biden was on the board, and nobody in the United  
11 States or in Ukraine ever allowed it to affect either our  
12 efforts or the Ukrainians' interactions with us. Quite to  
13 the contrary. For that reason, the facts are that over the  
14 last several years, since 2015 all the way to today, there  
15 are two groups that are trying to undermine Vice President  
16 Biden: one is Russia and its allies, and two are the very  
17 corrupt oligarchs who fear his return. Those are the groups  
18 that are going after him, going after me, going after a few  
19 other people who they perceive as their enemies.

20       That is what I mean when I say the factual basis does  
21 not support that anybody believed that there was a conflict  
22 of interest.

23       MR. SCHRAM: The majority asked if the Russian  
24 disinformation campaign that used Hunter Biden's presence on  
25 the board of Burisma to insinuate wrongdoing by Vice

1 President Biden was successful. You said it was not  
2 successful in Ukraine because Ukraine generally did not  
3 believe those lies.

4 Let's look to a specific example of what Ukrainians  
5 believe. Entering as Exhibit E a statement on the Ukrainian  
6 American Strategic Partnership from the Kyiv Security Forum.

7 [Hochstein Exhibit E was  
8 marked for identification.]

9 MR. SCHRAM: Take as much time as you need to review  
10 this document.

11 MR. KRAMER: Mr. Schram, if you don't mind emailing  
12 that to us, that would be helpful.

13 MR. SCHRAM: I believe you have it. If not, you'll  
14 have it momentarily.

15 MR. KRAMER: Thank you.

16 MR. HOCHSTEIN: Can you just tell me--at the top it  
17 says 23 May. Can you tell me what year this is?

18 MR. SCHRAM: 2020.

19 MR. HOCHSTEIN: Thank you. Yeah, you can scroll if you  
20 need to.

21 MR. SCHRAM: I will ask you about the two paragraphs  
22 that begin with "We call," "We oppose," and "We call" again--  
23 -three paragraphs.

24 [Pause.]

25 MR. HOCHSTEIN: I've read it.

1 MR. SCHRAM: Just take a moment to look at the  
2 signatories.

3 MR. HOCHSTEIN: Yes.

4 MR. SCHRAM: I won't make you go through the whole  
5 list, but do you recognize any of the names?

6 MR. HOCHSTEIN: I recognize a number of the names, yes.

7 MR. SCHRAM: Is it fair to say that these names  
8 represent pro-Western Ukrainians?

9 MR. HOCHSTEIN: For sure, yes.

10 MR. SCHRAM: This letter was dated May 23, 2020, and it  
11 is notated as having been signed on May 22nd and May 23rd.  
12 Again, reviewing the timeline, in April, in a letter to  
13 Secretary Pompeo, Chairman Grassley and Chairman Johnson  
14 requested documents, including records related to phone  
15 calls between Vice President Biden and President Poroshenko.  
16 The response date on that letter was May 15th. On May 13th,  
17 Chairman Johnson noticed a markup to vote on a subpoena  
18 related to Blue Star Strategies for documents and  
19 information testimony. That subpoena was a consolation  
20 prize. Related information was first sought from Andrii  
21 Telezhenko, but the vote on the subpoena of Andrii  
22 Telezhenko was pulled down under bipartisan pressure.

23 On May 19th, Andrii Derkach released transcripts and  
24 recordings of Biden-Poroshenko phone calls. The Committee  
25 voted on the Blue Star subpoena the following day, on May

1 20th. At that markup, Senator Peters made a motion to table  
2 the vote until the Committee could be briefed by the FBI and  
3 the intelligence community about national security concerns  
4 and disinformation concerns related to the investigation.  
5 That was defeated on a party line vote.

6 Then on May 22nd and May 23rd, this letter was signed  
7 and sent from the Kyiv Security Forum by distinguished  
8 Ukrainian politicians, diplomats, civil activists--civic  
9 activists. So turning your attention to the paragraphs I  
10 identified, the letter says:

11 "We call on American leaders to distinguish between the  
12 position of new Ukraine, which stands for the unity of the  
13 West and acts to unite democracies around the world, and  
14 those forces that seek to turn the political developments in  
15 our country into a toxic narrative to sow discord among our  
16 partners."

17 "We oppose the dishonest attempts to use the political  
18 controversies in the United States. We do not choose any  
19 side, but support each of them in the same way that they  
20 together help Ukraine's independence."

21 "We call on America's leaders to distinguish between  
22 the position of our nation from the actions of politicians  
23 instigated by Moscow."

24 Is this letter consistent with your impression of how  
25 Ukrainians react to Russian disinformation campaigns?

1 MR. HOCHSTEIN: Yes. I believe that the fear in  
2 Ukraine over the last couple of years is that Ukraine has  
3 become a political football between the two parties, and as  
4 a result, the relationship between Ukraine and the United  
5 States is damaged and hurt and becomes a partisan issue.  
6 And this is something they can't afford because they have--  
7 at any time, at any time, Russia could turn the heat on in  
8 the East and start--and re-engage in the combat operations  
9 in the East. They could destabilize Ukraine. So the  
10 support of the United States on a bipartisan basis is  
11 something that's critical to anyone who's involved in the  
12 economic and national security of Ukraine.

13 MR. SCHRAM: Do you share the concerns expressed in  
14 this letter?

15 MR. HOCHSTEIN: I do, very much.

16 MR. SCHRAM: Do you consider this investigation to be a  
17 successful outcome of a Russian disinformation campaign  
18 because it brings Russian disinformation into the  
19 mainstream?

20 MR. HOCHSTEIN: So I want to be clear. I want to--my  
21 comments are not going to motive. I want to go in fact, so  
22 I don't want to cast any doubt on any Senator or staff  
23 motive on either side of the aisle--

24 MR. SCHRAM: And to be clear, the question is not to  
25 motive. It is to consequence.

1 MR. HOCHSTEIN: Yeah, but I do agree that, as I said  
2 before, in fact, regardless of motive, this investigation is  
3 seen as a success--or a successful outcome of the Russian  
4 attempts and their operation. I think they regard this as a  
5 successful operation, especially being done so close to the  
6 election.

7 MR. SCHRAM: My colleague asked you about a meeting  
8 that you had with President Zelensky.

9 MR. HOCHSTEIN: Yes.

10 MR. SCHRAM: How did you advise Mr. Zelensky with  
11 respect to the pressure he was facing?

12 MR. HOCHSTEIN: Well, he was--there was a lot of  
13 pressure on him that he already knew was coming. This was  
14 sort of in between the two phone calls with President Trump,  
15 and he knew that he was facing the pressure and that Mr.  
16 Giuliani was coming or trying to come to Ukraine. That trip  
17 ultimately got pulled down once it became public.

18 I told him, I said, "Listen, you participating and  
19 allowing yourself to become part of one party politics in  
20 America, I don't know which party in America will win that  
21 argument. I know you will lose. You need to have a working  
22 relationship with President Trump and his administration  
23 because he is the President of the United States, and you  
24 need to have a strong and working relationship with the  
25 Democrats in Congress because they are elected officials as

1 well." And what Ukraine needs is the full support of the  
2 United States of America, and the emphasis on "united,"  
3 because that's the only way that Ukraine, facing so many  
4 challenges--my advice to him was if Democrats ask you to dig  
5 dirt or if the Republicans ask you to get involved in  
6 politics, resist it, make everything that you're asked  
7 aboveboard, transparent, clear, and open to all. And if you  
8 do that, they will stop asking you. But if you continue--if  
9 you play ball on this with anyone and you get dragged into  
10 it, you'll never get out of it, because of the previous  
11 question you asked me about the Kyiv Security Forum and what  
12 former Prime Minister Arseniy Yatsenyuk was saying, they  
13 need to be--Ukraine needs to be an area of consensus in the  
14 United States and not be asked to do unethical and non-  
15 democratic--take non-democratic actions to support illicit  
16 investigations into political opponents.

17 MR. SCHRAM: During your time in the Obama  
18 administration, was Ukraine policy an area of consensus?

19 MR. HOCHSTEIN: As I said before, it very much was. We  
20 briefed Republican Members of both the House and Senate on a  
21 regular basis. I myself met several times with Republican  
22 Senators and Republican Members of Congress. I testified on  
23 the Hill. We wanted it to be a bipartisan effort. We  
24 thought that is what would make the position so much  
25 stronger vis-a-vis Russia but also sometimes even there was

1 some Ukraine fatigue in Europe and they were trying to take  
2 the position of--the Russian position, and the fact that it  
3 was bipartisan and consensus building was the strength of  
4 the policy.

5 MR. SCHRAM: Are you surprised that it has become the  
6 source of political controversy?

7 MR. HOCHSTEIN: I have a very warm part of my heart,  
8 despite all the difficulties, for Ukraine. I feel for them.  
9 And I would characterize it I am disappointed and saddened  
10 by how this has turned out, and I think it not only weakens  
11 Ukraine, it ultimately weakens the transatlantic alliance  
12 into the future.

13 MR. SCHRAM: At the very beginning of the interview, I  
14 read the statement of the Department of Treasury related to  
15 Mr. Derkach. Treasury stated, "Derkach waged a covert  
16 influence campaign centered on cultivating false and  
17 unsubstantiated narratives concerning U.S. officials in the  
18 upcoming 2020 Presidential election, spurring corruption  
19 investigations in both Ukraine and the United States  
20 designed to culminate prior to election day."

21 Earlier this week, according to the Milwaukee Journal  
22 Sentinel, Senator Johnson told GOP activists during a video  
23 call, quote, Stay tuned. In about a week, we're going to  
24 learn a whole lot more of Vice President Biden's fitness for  
25 office in reference to his investigation.

1           Having now sat through this interview for the past,  
2 approaching, five hours, is it fair to say that the  
3 chairmen's investigation--and again, this is not going to  
4 motive. Is a, quote, corruption investigation in the United  
5 States, quote, designed to culminate prior to election day?

6           MR. HOCHSTEIN: I think it would appear, based on  
7 public comments and timing of this investigation, that it's-  
8 -either by design or not, it is--it is impacting an  
9 election, and I stated earlier that my concern is that I  
10 would--I would have--when Mr. Folio asked me the question, I  
11 would have a lot less issue if this was being conducted in  
12 December of this year or at any time in the previous five  
13 years.

14           I think the timing of this is extremely problematic and  
15 plays into the hands of those who are trying to infiltrate  
16 our election system and influence it from the outside.

17           MR. SCHRAM: In your view, is the chairmen's  
18 investigation based on, again, to quote the Treasury  
19 Department statement, a false an unsubstantiated narrative  
20 concerning U.S. officials in the upcoming 2020 presidential  
21 election?

22           MR. HOCHSTEIN: Again, my view is as someone who worked  
23 with Mr. Biden in Ukraine and around the world. There is no  
24 basis in fact for the allegations. I was there. I was in  
25 the room. I was on the calls. I was doing the work, and

1 there is no basis in fact to suggest any conflict of  
2 interest, not even a perception, successful perception.  
3 Just maligned influencers from outside Ukraine and corrupt  
4 oligarchs who feared the anticorruption efforts by the Vice  
5 President and several of us working under his direction.

6 MR. SCHRAM: So then the investigation is in fact an  
7 investigation of corruption designed to culminate prior to  
8 the election day based on false and unsubstantiated  
9 narratives concerning U.S. officials in the upcoming 2020  
10 presidential election?

11 MR. HOCHSTEIN: I believe that the narrative that is  
12 being used for this investigation is totally false, and it  
13 is being done just ahead of an election.

14 MR. SCHRAM: That's all for us.

15 MR. KRAMER: Okay. We'd like to wrap this up, then.  
16 We're a little bit past the time. We've been going for  
17 about four and a half hours. So we're going to call it a  
18 say. Thanks, everybody, for your courtesy and  
19 professionalism.

20 MR. FOLIO: Hey, Kelly, this is Joe.

21 So we've been going through our materials, and I think  
22 we have about 15 or--10 or 15 minutes left from questions  
23 we've been cutting, and we will be all done. So we ask for  
24 your indulgence for another 10 of 15 minutes.

25 MR. KRAMER: Joe, we've already gone well past the time

1 that you guys asked for and that we allocated. So we are  
2 going to be calling it a day as of now.

3 MR. FOLIO: So, to be clear, Kelly, I think we had the  
4 conversation last week and in the letter, and you suggested  
5 that we agree to a four-hour deadline. And I've clarified  
6 multiple times that we never did. We gave you our best  
7 good-faith estimate as to how long it would take,  
8 remembering that we get half of that time. I think we've  
9 gone through four sessions. So we're pretty darn close, and  
10 our request to you and to Mr. Hochstein is that we have 10  
11 or 15 more minutes. And then we will feel that we've  
12 completed and asked all the questions that we need to, and I  
13 think it will leave us in a much better space than to  
14 prematurely end so close to the goal one and leave those  
15 questions open and lingering.

16 MR. KRAMER: So if you guys--Mr. Hochstein has  
17 indicated that he's available for seven more minutes. So if  
18 you'd like to take it, that's fine. Otherwise, we are done.

19 MR. FOLIO: Seven more minutes, not counting--

20 MR. KRAMER: Excuse me?

21 MR. FOLIO: I didn't see Mr. Hochstein indicate, so  
22 maybe I missed a hand signal there. I mean, I appreciate  
23 it. I mean, good faith. I'm not trying to put anyone in a  
24 hard spot. I think we've all been operating in good faith.  
25 I can tell you that behind the scenes, we've been going

1 through all of our questions and all the documents and  
2 cutting out many of the things we planned to ask. So this  
3 is a good-faith effort to try and get this as close as we  
4 can to the four hours.

5 MR. HOCHSTEIN: Just give me one minute.

6 MR. FOLIO: And 15 minutes is more than enough.

7 MR. HOCHSTEIN: Just give me one minute.

8 [Pause.]

9 MR. HOCHSTEIN: Go ahead. Let's go for another 10  
10 minutes, so--

11 MR. FOLIO: Thank you, Mr. Hochstein. I'm going to  
12 turn it over to Brian.

13 MR. HOCHSTEIN: Sure.

14 MR. DOWNEY: Mr. Hochstein, with all the time and  
15 effort focused on anticorruption with Ukraine, then why even  
16 allow anything like Hunter Biden's position to detract from  
17 that message?

18 MR. HOCHSTEIN: It was not for me to allow or not  
19 allow. He was on the board. I read about it in a newspaper  
20 article. I did not let it--or it did not affect my job.

21 MR. DOWNEY: Do you know when Hunter Biden left the  
22 board of Burisma?

23 MR. HOCHSTEIN: Can you repeat the question?

24 MR. DOWNEY: Do you know when Hunter Biden left the  
25 board of Burisma?

1 MR. HOCHSTEIN: I don't. I don't know the exact date.  
2 I'm sure you're going to refresh my memory.

3 MR. DOWNEY: So according to public reporting, Hunter  
4 Biden left the board in April of 2019.

5 MR. HOCHSTEIN: Okay.

6 MR. DOWNEY: Do you know when Joe Biden announced his  
7 run for President?

8 MR. HOCHSTEIN: I don't. But it was sometime in the  
9 spring.

10 MR. DOWNEY: He announced he was running for President  
11 April 25th of 2019.

12 MR. HOCHSTEIN: I believe you.

13 MR. DOWNEY: Do you think that timing is a coincidence?

14 MR. HOCHSTEIN: That's not for me to judge.

15 MR. DOWNEY: Do you believe if Hunter Biden stayed on  
16 the board of Burisma past April 2019, it would be a  
17 legitimate issue?

18 MR. HOCHSTEIN: We're sitting here today. There have  
19 been many articles. I really can't speculate what would  
20 have been different if he left earlier or two months later.  
21 I really have no idea.

22 MR. DOWNEY: Okay. We're going to enter in Exhibit 6,  
23 and Will can throw it up on the screen real quick. And we  
24 can send this to you, Kelly. It is a June 27th, 2014,  
25 letter to President Obama from Senators Markey, Senator

1 Wyden, Senator Shaheen, and Senator Murphy.

2 [Hochstein Exhibit No. 6

3 marked for identification.]

4 MR. HOCHSTEIN: Do you want me to read the whole thing?

5 MR. DOWNEY: Are you familiar with this letter at all?

6 MR. HOCHSTEIN: I am--I don't believe I am, but I'm

7 happy to read it.

8 MR. DOWNEY: Sure.

9 [Pause.]

10 MR. HOCHSTEIN: You can scroll.

11 [Pause.]

12 MR. HOCHSTEIN: Yep.

13 [Pause.]

14 MR. HOCHSTEIN: Yep.

15 [Pause.]

16 MR. HOCHSTEIN: Yep. Yep.

17 The timing of this letter, this was right after the  
18 inauguration of Poroshenko, but what was it exactly? June.

19 Yeah. Thank you.

20 MR. DOWNEY: After reviewing the June 27th letter, does  
21 this look familiar to you?

22 MR. HOCHSTEIN: The letter doesn't necessarily look  
23 familiar. It rings a bell, sort of, but I'm familiar with  
24 the effort by Mr. Markey and others that talked to me about  
25 this.

1 MR. DOWNEY: Okay. Can we pull up Exhibit 2 real  
2 quick? We're going to go to page 3 of Exhibit--

3 [Pause.]

4 MR. DOWNEY: Actually, go on up, Will. A little more.  
5 More. Stop right there.

6 So in this July 7th, 2014, Time news article by Michael  
7 Scherer--

8 MR. HOCHSTEIN: Yep.

9 MR. DOWNEY: --Mr. Scherer writes Markey's letter was  
10 trumpeted by Burisma Holdings as a commendable move towards  
11 securing the future security of Ukraine. Burisma Holdings  
12 today applauded the range of U.S. legislative support for  
13 development of the Ukraine's broad and untapped resources  
14 and an increase in transparency and good governance to  
15 companies said a statement on the day the letter was  
16 released.

17 Did you discuss this letter with Hunter Biden or anyone  
18 connected with Burisma?

19 MR. HOCHSTEIN: No.

20 MR. DOWNEY: Did you get the letter forwarded to you  
21 from the White House or anyone from the White House staff to  
22 the State Department?

23 MR. HOCHSTEIN: I'm fairly--I saw the letter as when I  
24 was a Special Envoy, and I got it probably from Legislative  
25 Affairs or from my staff. That would be normal. Yeah.

1 MR. DOWNEY: Did you take any action connected to this  
2 letter from Senator Markey, Senator Wyden, Senator Shaheen,  
3 and Senator Murphy?

4 MR. HOCHSTEIN: I think in general the sentiment that  
5 is mentioned in this letter is supportive, was in concert  
6 with what we were trying to do. I was at the time working  
7 24 hours a day because we were facing a major crisis in  
8 Europe and Ukraine. I think some of the proposals here were  
9 part of a strategy for a long-term solution that I was  
10 trying to weigh towards a short-term process, and--but by  
11 and large, I mean, I don't disagree. There should be  
12 efficiency in the energy market in Ukraine. We should have  
13 more production. It was a big question that Burisma was not  
14 actually the lead company on, they were relatively  
15 insignificant to, and that was some of the privately owned  
16 companies in Ukraine, including one that was quasi-American,  
17 were concerned that there was not enough opportunity for  
18 private companies to expand the production of gas in  
19 Ukraine, that the incumbent, Naftogaz, was doing too much.  
20 So I think all these efforts were there.

21 I didn't--you just asked me to read the letter. I read  
22 the letter. I see Burisma trying to take advantage of the  
23 letter, but I don't think it actually did anything to help  
24 their cause, one way or the other.

25 MR. DOWNEY: Okay. One last question, and then I'll

1 turn it to Mr. Folio for the close.

2 Did Hunter Biden ever suggest to you, Mr. Hochstein,  
3 that he might resign his position on Burisma to avoid  
4 providing Russia with a basis to attack U.S.-Ukraine policy?

5 MR. HOCHSTEIN: We did not discuss that issue in our  
6 conversation.

7 MR. DOWNEY: Hunter Biden never suggested that he might  
8 resign in an effort to prevent the Russian disinformation  
9 that you speak of?

10 MR. HOCHSTEIN: Not to my knowledge.

11 MR. DOWNEY: Thank you.

12 Mr. Folio?

13 MR. FOLIO: Mr. Hochstein, was Hunter Biden's position  
14 on the board of a company that was under investigation for  
15 corruption consistent with U.S. anticorruption policy?

16 MR. HOCHSTEIN: It was neither here nor there. We--our  
17 job was to pursue corruption. Our job was to try to provide  
18 financial and logistical and technical support in order to  
19 root it out, and we did that, regardless of who was on which  
20 board.

21 MR. FOLIO: Was Hunter Biden's position--

22 MR. HOCHSTEIN: It was a huge issue in Ukraine, and  
23 Burisma, to be honest, was a fairly small, non-important  
24 entity, but it just didn't play into that.

25 MR. FOLIO: I think I'm focused on the efforts by the

1 U.S. government, the UK government, and the Ukraine  
2 government to prosecute--investigate and prosecute Burisma's  
3 owner, Mr. Zlochevsky, the examples if which we discussed  
4 earlier.

5       So was Hunter Biden's position on--Mr. Zlochevsky--the  
6 board helpful for U.S. anticorruption, in the U.S.  
7 anticorruption message?

8       MR. HOCHSTEIN: It was not unhelpful because--is sort  
9 of didn't factor in. We really didn't discuss it. I know  
10 it sounds to you from your questions--it sounds that that's  
11 something you have a hard time believing, but it just didn't  
12 play a--we didn't discuss it, and we did not--it didn't come  
13 up in our discussion with neither Ukraine nor with our  
14 allies.

15       MR. FOLIO: I'm just trying to square your answers with  
16 what we see in the documents where you all are discussing  
17 how to address it as a pressing policy matter and then also  
18 your point that the Russians used the guide of his presence  
19 on the board to raise issues not only about Burisma but then  
20 to get into things that seem, you know, as you said, even  
21 less true about the Bidens coming to the country and seeking  
22 to privatize all the land. It seems to have had some  
23 effect. I'm trying to understand the nature of that.

24       MR. HOCHSTEIN: I would say that it has--that on our  
25 preparation of talking points and how to inference it

1 because we knew what the Russian effort was to create that  
2 perception. If it would be successful, we would get a lot  
3 of questions about it. To be honest, we didn't get a lot of  
4 questions in bringing about it during the visit or during my  
5 subsequent visits. We did get a few U.S. media outlets'  
6 questions about it. They wrote about it. It was all above  
7 board and open, and therefore was kind of just on that  
8 issue, was something that everybody was aware of, but it  
9 just didn't play a role in actually making that execution  
10 policy.

11 MR. FOLIO: So earlier in your responses to the  
12 Minority's questions, you said that there was no basis to  
13 suggest that there was apparent or actual conflict of  
14 interest. If that's right, then why did you raise the issue  
15 with the Vice President?

16 MR. HOCHSTEIN: Why did I raise? Is that what you  
17 asked?

18 MR. FOLIO: Yes.

19 MR. KRAMER: And just to be clear, that's not what--  
20 that's not what Mr. Hochstein said. Mr. Hochstein, I think,  
21 said that he raised the Russian topic.

22 MR. HOCHSTEIN: Yeah. Well, I raised what I was  
23 looking and interested in what me in raising a matter with  
24 the Vice President was to make him aware that the Russians  
25 were trying to create a perception. Again, ultimately, we

1 found out that the effort by the Russians was unsuccessful,  
2 but I've always been of the view that whether something is,  
3 you know, burning or critical or not, it is important for a  
4 principal to know what's happening on the ground.

5 MR. FOLIO: Just one minute, please.

6 MR. HOCHSTEIN: Sure.

7 [Pause.]

8 MR. FOLIO: Mr. Hochstein, as I noted at the outset in  
9 trying to address this issue and understand what happened,  
10 we focused our inquiry on collecting from U.S. government  
11 agencies, current and former U.S. government officials like  
12 yourself, to understand, as Chairman Johnson described, of  
13 what did and did not happen.

14 So we very much appreciate you taking the time, being  
15 generous of your time today and gave us 15 extra minutes and  
16 counting. And we very much appreciate that. So I wanted to  
17 thank you for doing that.

18 MR. HOCHSTEIN: Thank you very much.

19 MR. FOLIO: All right. Thank you.

20 MR. SCHRAM: Thank you, Mr. Hochstein. Thanks for  
21 coming.

22 [Whereupon, at 2:54 p.m., the interview was concluded.]

23

24

25

Opening Statement of Joshua Flynn-Brown  
Deputy Chief Investigative Counsel for Chairman Grassley  
September 17, 2020

This is now the eighth interview that we've held in this investigation. In recent interviews, Senator Peters' staff have given an opening statement and asked questions that are filled with mischaracterizations and misrepresentations about the basis of this investigation. My colleague, Joe Folio, has easily rebutted those charges in other interviews. I appreciate his efforts to do so.

Such mischaracterizations and misrepresentations by the minority reflect badly on the two committees. The Chairmen are not engaged in a Russian disinformation campaign. This investigation is about good government oversight and rooting out potential and apparent conflicts of interest. It is not, and has never been, designed to interfere in the election. The record is clear about our scope of inquiry. In fact, if the Democrats didn't interfere so much in this inquiry we'd be done with it already.

Recently, Ranking Member Wyden's staff have associated themselves with that opening statement and have provided their own in one interview. In that interview, I provided a rebuttal.

Today, however, I want to address their opening statements more specifically.

First, my Democratic colleagues have, in some interviews, mentioned the number of COVID deaths as a political weapon to insinuate Chairman Grassley is not doing enough to use his Finance Committee to combat the pandemic. Nothing could be further from the truth.

Every death is a tragedy. We've lost mothers, fathers, grandparents, brothers, sisters, aunts, and uncles. The list goes on. We've lost members of our American family. Every life has value and meaning, including those not yet born.

Chairman Grassley has a robust oversight operation that isn't totally focused on this investigation. My colleagues are doing COVID oversight right now – as we speak. In addition, Chairman Grassley has health and tax policy staff that have worked tirelessly to assist the American people during the pandemic. Not to mention the legislation that the Chairman has drafted and the laws that he's helped pass to support, as one example, Unemployment Insurance. We can walk and chew gum at the same time.

Indeed, Chairman Grassley's oversight and policy actions include multiple oversight and policy hearings relating to the COVID pandemic, all of which are public record.

He is dedicated to supporting We the People in our fight against the virus. He is dedicated to supporting the U.S. financial system. Any insinuation, implication, or statement to the contrary is not rooted in fact.

Second, Democrats have said during the course of this investigation that Chairmen Grassley and Johnson are falling for Russian disinformation and undermining national security with this investigation. It's disappointing and it's wrong. This investigation is focused on Obama administration government records and records from a U.S. based Democrat lobby shop that hired Andrii Telizhenko, the same individual that had consistent contact and access with Obama administration officials.

Moreover, there is only one person here that has inserted Andriy Derkach's information into the record – Mr. Schram. Not me, not my majority colleagues.

So, when it comes to Russian disinformation, the Democrats own it.

Let's not forget about the inconvenient facts relating to the now-debunked Russian collusion investigation.

The Clinton campaign hired Fusion GPS to do opposition research against candidate Trump.

The Democratic National Committee did the same.

Fusion GPS hired Christopher Steele, a foreign national and a former British Intelligence Officer, to compile the "Steele Dossier."

That same Dossier factored heavily in the FBI's investigation against Trump. According to the Justice Department Inspector General, it was the "central and essential" document for the Carter Page FISAs.

Steele used Russian government sources for information in the Dossier, some were connected to the Russian presidential administration and supported Clinton.

Now, because information relating to the Dossier has been declassified thanks to the efforts of Chairmen Grassley and Johnson, we know that the Russians knew about Steele's anti-Trump research in early July 2016, prior to the FBI opening its investigation. That shows you that the Dossier was the perfect vehicle to use for disinformation and to sow chaos and discord here at home. The Democrats have done exactly that, they have created the domestic turmoil that the Russian government wanted.

We also know that government reporting, some from the U.S. Intelligence Community, indicated that the Dossier was filled with Russian disinformation. Specifically, in January 2017 and February 2017, the FBI received reporting that apprised the FBI of Russian disinformation infecting the Dossier. The FBI sat on that information.

It's a fact – not merely an allegation – that the Clinton campaign and Democratic Party used a foreign intelligence officer and information *from the Russian government and Russian disinformation* to undermine the Trump campaign and, later, his administration.

As Chairman Grassley has said before, so much for a peaceful transition of power.

Democratic Senators and Representatives have pushed the Dossier as gospel for years.

And now, they've gone silent about it after its defects have been made public but have tried to make this investigation a replacement for their previous failures.

It's no surprise then that the Democrats have failed to seek documents and information relating to how and why the now-debunked FBI investigation into Russian collusion started – because the Democrats would be front and center.

Let's also not forget about the Uranium One scandal where the Obama administration approved the sale of U.S. based uranium assets to the Russian government.

Let's not forget about President Obama telling Russian President Dmitry Medvedev that he will have "more flexibility" to deal with U.S./Russia issues after the presidential election.

If the Democrats want to talk about pandering to Russians and using Russian disinformation, they should look at themselves and the actions they've taken in the recent past.

**From:** Hochstein, Amos J  
**Sent:** Wed, 9 Jul 2014 17:44:21 -0400  
**To:** Nakagawa, Melanie Y  
**Subject:** FW: Ukraine/Hunter Biden from Time.com website yesterday

FYI – per your email re David Leiter

This email is UNCLASSIFIED.

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**From:** [REDACTED]  
**Sent:** Tuesday, July 08, 2014 8:48 AM  
**To:** Hochstein, Amos J  
**Subject:** Ukraine/Hunter Biden from Time.com website yesterday

# Ukrainian Employer of Joe Biden's Son Hires a D.C. Lobbyist

[Martinez Monsivais](#)—AP

**An obscure private Ukrainian natural gas company has been hiring friends and family of Secretary of State John Kerry and Vice President Joe Biden, while seeking to influence Congress**

[by Taboola](#)

When Vice President Joe Biden's son, R. Hunter Biden, joined the board of a private Ukrainian oil and natural gas company this spring, he explained his new job as a legal one, disconnected from any effort to influence the Obama Administration. In a [press release](#), the younger Biden boasted of his abilities on issues like improving corporate transparency.

But the company, Burisma Holdings, did not disclose at the time the scope of their plans for influencing the U.S. government. Recently released documents show that Biden's hiring coincided with the launch of a new effort to lobby members of Congress about the role of the company in Ukraine and the country's quest for energy independence.

David Leiter, a former Senate chief of staff to Secretary of State John Kerry, signed on to work as a lobbyist for Burisma on May 20, 2014, about a week after Biden announced he was joining the company, according to lobbying disclosures filed this month.

Leiter's involvement in the firm rounds out a power-packed team of politically-connected Americans that also includes a second new board member, Devon Archer, a Democratic bundler and former adviser to John Kerry's 2004 presidential campaign. Both Archer and Hunter Biden have worked as business partners with Kerry's son-in-law, Christopher Heinz, the founding partner of Rosemont Capital, a private-equity company.

Biden's office referred questions to a Burisma spokesman, who says Biden has not been involved in contacting members of Congress or the Obama Administration about the company. "His role, like all board members, is to provide strategic guidance to Burisma," said Lawrence Pacheco, who works in Washington D.C. for FTI Consulting, a communications firm that is also employed by Burisma.

But Burisma is contacting officials in Washington through Leiter's lobbying firm, ML Strategies. "ML Strategies is working with Burisma to educate U.S. officials about the company and its role in creating a stable and secure energy future for Ukraine, not any specific policy or legislation," Pacheco said. "Burisma supports energy independence, economic growth, national sovereignty and regional stability and will engage as needed to encourage efforts to further these goals."

Some Democratic senators, meanwhile, have been working to secure more U.S. funding, either directly or through entities like the Export-Import Bank, to improve Ukraine's domestic energy production potential. On June 27, Sen. Edward Markey of Massachusetts, [wrote President Obama a letter](#) with three other Democratic senators calling for increased aid. "We should leverage the full resources and expertise of the U.S. government to assist Ukraine in improving its energy efficiency, increasing its domestic production, and reforming its energy markets," wrote Markey, who has also proposed legislation with about \$40 million in additional aid for Ukrainian energy development.

Markey's letter was trumpeted by Burisma Holdings as a [commendable move](#) towards securing the future security of Ukraine. "Burisma Holdings today applauded the range of U.S. legislative support for development of Ukraine's broad and untapped resources and an increase in transparency and good governance," the company said in a statement on the day the letter was released.

An aide in Markey's office told TIME that Leiter, Biden and Archer were not part of discussions that led to the drafting of the letter or the legislation. Staff for the other senators who signed the letter, Ron Wyden of Oregon, Jeanne Shaheen of New Hampshire and Christopher Murphy of Connecticut, also said they did not have contact with Leiter, who could not be reached for comment.

Burisma Holdings is owned by a Cypriot holding firm, Brociti Investments Limited, which is controlled Nikolai Zlochevskyi, a former Ukrainian government minister, according to Cypriot records. It controls government development licenses in three regions of Ukraine, and sells to industrial customers in the country, according to the company.

By taking a job with Burisma, the younger Biden has put himself in the middle of a struggle between the United States and Russia, which currently provides the bulk of the natural gas supplies to Ukraine. Both the White House and European nations have recently emphasized the strategic interest in making Ukraine less dependent on Russia.

Since Hunter Biden took the new job, his father, Vice President Joe Biden, has continued to serve as the Obama Administration's point person on Ukraine, traveling to the country as recently as June for the inauguration of President Petro Poroshenko and talking to Poroshenko by phone at least five times in the last month.

"I've spent a considerable amount of time in the last two months in Ukraine," the elder Biden said on June 19. "You see what the Russians are doing relative to using gas as a foreign policy tool to try to alter behavior. And so it's — around the world in varying degrees it's of significant consequence in terms of security, both economic and political security of a nation."

There is no legal barrier to prohibit Hunter Biden from working with a company that can be impacted by the policy decisions of his father, and the White House has maintained that the Vice President has not been influenced by his son's employment. "The Vice President does not endorse any particular company and has no involvement with this company," said his spokeswoman Kendra Barkoff.

But Hunter Biden's new job, along with the association with Burisma of other politically-connected businessmen, has raised concerns among some Ukraine watchers. "It's unhelpful when we are trying to get across to the Ukrainians to clean up corruption and special deals for special folks," said Ed Chow, a senior fellow at the Center for Strategic and International Studies, a U.S. think tank. "It maybe sends the wrong message that Westerners are just hypocritical."

■  
■  
Senior Advisor  
Bureau of Energy Resources  
Room 4334A  
Department of State  
(202) 647-4535

**From:**Hochstein, Amos J  
**Sent:**Mon, 2 Nov 2015 12:46:21 -0500  
**To:** [REDACTED]  
**Subject:**Re: Hunter Biden's office called

Yes

Sent from my BlackBerry 10 smartphone.

---

**From:** [REDACTED]  
**Sent:** Monday, November 2, 2015 12:30 PM  
**To:** Hochstein, Amos J  
**Subject:** Hunter Biden's office called

He is requesting a meeting with you this Friday. Would you like me to arrange this?

A REPORTER AT LARGE JULY 8 & 15, 2019 ISSUE

# WILL HUNTER BIDEN JEOPARDIZE HIS FATHER'S CAMPAIGN?

*Joe Biden's son is under scrutiny for his business dealings and  
tumultuous personal life.*

By **Adam Entous**

July 1, 2019



*An Obama White House aide said that “Hunter was on the loose, potentially undermining his father’s message.”* Photograph by Philip Montgomery for The New Yorker

0:00 / 1:11:48

**Audio:** Listen to this article. To hear more, download Audm for iPhone or Android.

In today's political culture, people running for President may announce their candidacy on the steps of their home-town city hall or on "The View," but the full introduction comes with their book. Some candidates' memoirs tell stories of humble beginnings and of obstacles overcome; some describe searches for identity; some earnestly set out detailed policy agendas. Nearly all are relentlessly bland. In 2017, [Joe Biden](#), a longtime senator from Delaware, [Barack Obama](#)'s Vice-President for eight years, and now a candidate for the Democratic Presidential nomination, published an unusually raw memoir about the death, two years earlier, of his forty-six-year-old son, Beau, describing how it had threatened to undo him but ultimately brought his family closer. Beau, his father writes, was "Joe Biden 2.0," a war veteran, a prosecutor, and a promising politician who "had all the best of me, but with the bugs and flaws engineered out."

In the early months of the 2020 race, Joe Biden holds a lead over his many Democratic Party rivals, but he is hardly invulnerable. He is seventy-six and sometimes shows it. He often stumbles when defending his five-decade public history. Some voters will not easily overlook his support for the Iraq War, his treatment of Anita Hill and loose management of the Clarence Thomas confirmation hearings, his handsy, close-talking behavior with women, or his descriptions of his "civil" working relationships with segregationist lawmakers. Even his admirers concede that he is prone to senatorial bloviation. What often seems to redeem him with voters, as a former senior White House aide put it recently, is "how he's responded to tragedy and what he's learned from it."

Yet the family story that Biden tells in "Promise Me, Dad: A Year of Hope, Hardship, and Purpose" largely glosses over a central character in Biden's life. Biden writes, "I was pretty sure Beau could run for President some day, and, with his brother's help, he could win." Hunter Biden, who is forty-nine, is described as a supportive son and sibling. In speeches, Biden rarely talks about Hunter. But news outlets on the right and mainstream media organizations, including the *Times*, have homed in on him, reprising old controversies over Hunter's work for a bank, for a lobbying firm, and for a hedge fund, and scrutinizing his business dealings in China and Ukraine.

There is little question that Hunter's proximity to power shaped the arc of his career, and that, as the former aide told me, "Hunter is super rich terrain." But [Donald J. Trump](#) and some of his allies, in their eagerness to undermine Biden's candidacy, and possibly to deflect attention from their own ethical lapses, have gone to extreme lengths, promoting, without evidence, the dubious narrative that Biden used the office of the Vice-President to advance and protect his son's interests.

At the same time, the gossip pages have seized on Hunter's tumultuous private life. He has struggled for decades with alcohol addiction and drug abuse; he went through an acrimonious divorce from his first wife, Kathleen Buhle Biden; and he had a subsequent relationship with Beau's widow, Hallie. He was recently sued for child support by an Arkansas woman, Lunden Alexis Roberts, who claims that he is the father of her child. (Hunter has denied having sexual relations with Roberts.)

On May 17th, the day before Hunter planned to appear at one of his father's rallies, at Eakins Oval, in Philadelphia, [Breitbart News](#) published a story based on a Prescott, Arizona, police report from 2016 that named Hunter as the suspect in a possible narcotics offense.

Onstage at the rally, Jill Biden introduced her husband. "The Biden family is ready," she said. "We will do this as we always have—as a family." Seated in white chairs to the side of the stage were Ashley Biden, Hunter's half sister; Ashley's husband, Howard Krein; Beau's children, Natalie and Robert Hunter; Hunter's three daughters, Maisy, Finnegan, and Naomi; and Naomi's boyfriend, Peter. The last seat in the row, with a piece of paper on it that said "Reserved," remained empty.

In one of my early conversations with Hunter, he told me about his sadness at having missed his father's event. "Beau and I have been there since we were carried in baskets during his first campaign," he said. "We went everywhere with him. At every single major event and every small event that had to do with his political career, I was there. I've never missed a rally for my dad. The notion that I'm not standing next to him in Philadelphia, next to the Rocky statue, it's heartbreaking for me. It's killing me and it's killing him. Dad says, 'Be here.' Mom says, 'Be here.' But at what cost?"

Hunter speaks in the warm, circuitous style of his father. Through weeks of conversations, he became increasingly open about his setbacks, aware that many of the stories that he told me would otherwise emerge, likely in a distorted form, in Breitbart or on “Hannity.” He wanted to protect his father from a trickle of disclosures, and to share a personal narrative that he sees no reason to hide. “Look, everybody faces pain,” he said. “Everybody has trauma. There’s addiction in every family. I was in that darkness. I was in that tunnel—it’s a never-ending tunnel. You don’t get rid of it. You figure out how to deal with it.”

**H**unter Biden was born in 1970, a year and a day after Beau and a year and nine months before their sister, Naomi. His father was twenty-seven, and won his first election, to the New Castle County Council, in November of that year. Two years later, in an immense leap of ambition, he decided to run for the U.S. Senate.

Biden pledged that, in order to avoid potential conflicts of interest, he would never own a stock or a bond. Whatever money he had, he spent on property. His father, Joseph Biden, Sr., managed a Chevrolet dealership in Wilmington, and Joe grew up in a house with his parents, his three siblings, his aunt Gertie, and two uncles. He tried to re-create this arrangement for his own family. He liked historic houses, and bought a center-hall Colonial, built in 1723, on a four-acre lot in the village of North Star, about thirty minutes west of Wilmington. “The large houses were a way for all of us, including aunts and uncles, to have something special,” Hunter said.

Joe Biden depended on his family to help staff his campaigns. His sister, Valerie, who taught at the Quaker day school Wilmington Friends, served as his campaign manager. His brother Jimmy oversaw fund-raising; Frankie, the youngest, helped organize volunteers. When the children were babies, Biden’s wife, Neilia, carried them to community meetings. In November, 1972, Joe Biden was elected to the Senate.

That December, while Biden was in Washington interviewing staff for his new office, Neilia took the children to Wilmington, to go Christmas-tree shopping. At an intersection, the family car collided with a truck. Neilia and Naomi were killed almost instantly. Beau sustained numerous broken bones, and Hunter suffered a severe head injury. Hunter has frequently said that his first memory is of waking up in a hospital bed next to Beau, who turned to him and said, “I love you, I love you, I love you.” On January 5, 1973, Biden was sworn in as a senator in his sons’ hospital room.

Valerie and Jimmy devoted themselves to the boys’ recovery while Biden took up his role in the Senate. In 1975, he sold the North Star property, and the family moved into a house in Wilmington that had once been owned by members of the du Pont family. Biden, on returning from Washington, often put on a hazmat suit and went into the basement to scrape asbestos off the pipes. He, Hunter, and Beau planted trees and painted the house. Hunter told me that his father would dangle him upside down from the third-floor windows so that he could reach the eaves with a brush. So many people came and went that Tommy Lewis, an old friend of Biden’s who became one of his Senate aides, nicknamed the house the Station. Hunter recalled, “No door was ever locked. The pool was everyone’s pool.” He and Beau were “communal property,” he said. “Everyone had a hand in raising us.” In 1977, Joe Biden married Jill Jacobs, a high-school teacher. (Hunter calls Jill “Mom” and refers to Neilia as “Mommy.”)

Biden frequently took the boys to Washington with him when Congress was in session. Roger Harrison, who worked in Biden’s office for seven years, recalled that one of them often sat on Biden’s lap during staff meetings. If he was busy on the Senate floor, another senator would take Hunter and Beau to his office to hang out. Sometimes, to entertain themselves, the boys would wander over to the Senate gym and sit in a corner of the steam room, eavesdropping on lawmakers.

Beau and Hunter were fiercely close. They attended Archmere Academy, the Catholic high school that was their father’s alma mater. Friends called Beau, a stickler for rules, the Sheriff. Hunter told me, “If we wanted to jump off a cliff into a watering hole, I would say, ‘I’m ready, let’s go,’ and Beau would say, ‘Wait, wait, wait, before we do it, make sure there aren’t any rocks down there.’” Brian McGlinchey, a friend of

Hunter's who attended Archmere with the brothers, said, "Beau tended to lead with his head. Hunter often led with his heart." At Archmere, Beau, with the help of Hunter, who distributed flyers, was elected student-body president. It was clear to family and friends that Beau would follow his father into politics. "Dad knew that is what Beau wanted," Hunter said.

Biden sold off some of the land at the Station to help pay for Beau to go to the University of Pennsylvania, in 1987. That year, Hunter and Beau encouraged their father to run for President, and they were crushed when he withdrew from the race over allegations of plagiarism. (He was accused of copying large portions of a law-review article as a student, and of mimicking a speech given by the British Labour Party leader Neil Kinnock.) Soon afterward, when Biden took his sons to a football game at the University of Pennsylvania, a group of hecklers started a chant about the plagiarism scandal. Hunter jumped to his feet, throwing punches, and his father and Beau had to pull him back.

Hunter enrolled at Georgetown University in 1988. He and Beau took out student loans to cover their university costs. Hunter worked odd jobs—parking cars at events and unloading sixty-pound boxes of frozen beef—to help pay for his room and board. Ted Dziak, a chaplain-in-residence in Hunter's freshman dorm, told me, "Hunter was always out there, doing something to gain a little bit of money."

In July, 1992, after graduating with a B.A. in history, Hunter began a year as a Jesuit volunteer at a church in Portland, Oregon. During that time, he met Kathleen Buhle, the daughter of a Chicago schoolteacher and a ticket salesman for the White Sox. Three months after they started dating, Kathleen got pregnant, and the two were married in July, 1993.

Beau attended Syracuse Law School, and began thinking about government service. Hunter imagined a more artistic career for himself. He admired Raymond Carver and Tobias Wolff; his favorite novel at the time was Charles Bukowski's debut, "Post Office." On a whim, he applied to, and was accepted into, the creative-writing program at Syracuse University, where Carver and Wolff had taught. He considered getting a joint M.F.A.-law degree at Syracuse, but, with a baby on the way, he decided to go straight to law school. He was rejected from Yale, his first choice, and enrolled at Georgetown Law. In December, 1993, his daughter Naomi was born.

After a year at Georgetown, Hunter transferred to Yale Law, where he completed his degree, in 1996. Then he returned to Wilmington with Kathleen and Naomi. Joe Biden was running for reelection in the Senate, and he appointed Hunter as his deputy campaign manager. Hunter rented an apartment close to his father's campaign headquarters, and also got a job as a lawyer with MBNA America, a banking holding company based in Delaware, which was one of the largest donors to his father's campaigns. At the age of twenty-six, Hunter, who was earning more than a hundred thousand dollars and had received a signing bonus, was making nearly as much money as his father. In January, 1998, the conservative reporter and columnist Byron York wrote, in *The American Spectator*, "Certainly lots of children of influential parents end up in very good jobs. But the Biden case is troubling. After all, this is a senator who for years has sermonized against what he says is the corrupting influence of money in politics."

**H**unter shared his father's love of old houses. In 1997, he bought a dilapidated estate in Wilmington, the original structure of which dated to before the Revolutionary War. The previous owner, Anna Sasso, recalled, "They seemed like the perfect family. They were teen-agers, practically. They were so enthusiastic." That year, Beau started working as a federal prosecutor in the U.S. Attorney's office in Philadelphia, and moved in with his brother's family, taking over the third floor. Hunter was responsible for the mortgage and most of the expenses. In September, 1998, Hunter and Kathleen had their second daughter, Finnegan. On weekends, the house was a gathering place for friends, including a local woman named Hallie Olivere, whose parents owned a dry-cleaning business. Beau and Hallie married in 2002.

Hunter, by then an executive vice-president at MBNA, found the corporate culture stifling. "If you forgot to wear your MBNA lapel pin, someone would stop you in the halls," he recalled. In 1998, he contacted William Oldaker, a Washington lawyer who had worked on his father's Presidential campaign in 1987, for advice about how to get a job in the Clinton Administration. Oldaker called William Daley, the

Commerce Secretary, who had also worked on Biden's campaign. Daley, the son of the five-term mayor of Chicago, told me that, because of their shared experience growing up in political families, he empathized with Hunter, and asked his staff to evaluate him for a position as a policy director specializing in the burgeoning Internet economy. Hunter got the job, then sold the Delaware house for roughly twice what he'd paid for it and moved his family to a rental home in the Tenleytown neighborhood of Washington. Hunter and Kathleen sent Naomi and Finnegan—and later Maisy, who was born in 2000—to Sidwell Friends, one of Washington's most exclusive and expensive schools. Hunter's salary barely covered the rent, the school fees, and his family's living expenses. "I've pretty much always lived paycheck to paycheck," Hunter told me. "I never considered it struggling, but it has always been a high-wire act."

In late 2000, near the end of President Clinton's second term, Hunter again consulted Oldaker, who was starting a lobbying business, the National Group. Oldaker asked the co-founder of the firm, Vincent Versage, to teach Hunter the basics of earmarking—the practice of persuading lawmakers to insert language into legislation which directs taxpayer funds to projects that benefit the lobbyist's clients. In 2001, Robert Skomorucha, an old Biden family friend who worked in the government-and-community-relations department at St. Joseph's University, proposed that Hunter solicit earmarks for one of the university's student-volunteer programs, at an underprivileged high school in Philadelphia. Timothy Lannon, the university's president, who offered Hunter the contract, described Hunter to me as "like his dad: great personally, very engaging, very curious about things and hardworking," adding that he had "a very strong last name that really paid off in terms of our lobbying efforts."

Versage told me that the National Group had a strict rule: "Hunter didn't do anything that involved his dad, didn't do anything that involved any help from his dad." Oldaker advised Hunter to restrict his clients to mostly Jesuit universities. "He wasn't doing McDonnell Douglas or something," Oldaker told me. Still, Hunter's name appeared regularly in newspaper stories decrying the cozy relationship between lobbyists and lawmakers. An informal arrangement was established: Biden wouldn't ask Hunter about his lobbying clients, and Hunter wouldn't tell his father about them. "It wasn't like we all sat down and agreed on it," Hunter told me. "It came naturally."

Oldaker's office was across the street from the Bombay Club, an Indian restaurant that was popular with policymakers, lobbyists, diplomats, and journalists. The lounge there became an after-hours gathering place for Hunter, Versage, and a dozen of their colleagues. Irfan Ozarslan, the former general manager, said that he greeted Hunter at the door "at least three or four times a week." The bartender at the time, Norman, told me that he would have a cigarette waiting for Hunter at his seat.

Joe Biden grew up around relatives with alcohol problems, and at a young age he decided to abstain. Hunter—who spoke frankly to me about his struggles with addiction—started drinking socially as a teen-ager. When he was a student at Georgetown, in the early nineties, he took up smoking Marlboro Red cigarettes, and occasionally used cocaine. Once, hoping to buy cocaine, he was sold a piece of crack, but he wasn't sure how to take the drug. "I didn't have a stem," Hunter said. "I didn't have a pipe." Improvising, he stuffed the crack into a cigarette and smoked it. "It didn't have much of an effect," he said.

In 2001, Hunter, Kathleen, and their children moved back to Wilmington to be closer to the rest of the Biden family, and Hunter commuted to Washington on Amtrak, as his father did. Sometimes he missed the last train and stayed in a rental room at the Army and Navy Club. "When I found myself making the decision to have another drink or get on a train, I knew I had a problem," he said. In 2003, Kathleen and the girls returned to Washington. Hunter recalled that Kathleen told him to get sober, starting by not drinking for thirty days. "And I wouldn't drink for thirty days, but, on day thirty-one, I'd be right back to it," he said. That September, on a business trip, he looked up rehabilitation centers, and soon admitted himself to Crossroads Centre Antigua for a month. The day after his return, Beau accompanied him to his first Alcoholics Anonymous meeting, in Dupont Circle.

By the mid-two-thousands, a growing number of lawmakers were criticizing earmarking as a waste of taxpayer money and a boon to special interests. Hunter was concerned about his future as a lobbyist, and his financial worries increased in 2006, when he bought a \$1.6-million house in an affluent neighborhood. Without the savings for a down payment, he took out a mortgage for a hundred and ten per cent of the purchase price.

In 2006, Hunter and his uncle Jimmy Biden, along with another partner, entered into a twenty-one-million-dollar deal to buy Paradigm, a hedge-fund group that claimed to manage \$1.5 billion in assets. Hunter said that the deal sounded “super attractive,” but that it fell apart after he and Jimmy learned that the company was worth less than they thought, and that the lawyer they were working with was a convicted felon awaiting sentencing. Hunter and Jimmy, who together went on to buy a stake in the company, estimated that they lost at least \$1.3 million on the initial venture, which Hunter described as “a tragicomedy.” To help repay a law firm that had put up the money to initiate the transaction, Hunter obtained a million-dollar note against his house from Washington First Bank, which was co-founded by Oldaker. On January 5, 2007, two days before Biden announced his decision to run for President, Hunter and Jimmy were sued by their former partner in New York. The suit was settled but resulted in a flurry of headlines.

In the lead-up to the January, 2008, Iowa Democratic Presidential caucuses, Hunter drove from Washington to Des Moines to campaign with his father. “I’m like his security blanket,” Hunter said. “I don’t tell the staff what to do. I’m not there giving directions or orders. I shake everybody’s hands. And then I tell him to close his eyes on the bus. I can say things to him that nobody else can.” Biden did poorly in Iowa, and soon dropped out of the race. On August 23, 2008, Obama, the Democratic nominee, publicly introduced Biden as his running mate. He praised Beau, who had recently become Delaware’s attorney general and was getting ready to deploy to Iraq with his National Guard unit.

Hunter had heard that, during the primaries, some of Obama’s advisers had criticized him to reporters for his earmarking work. Hunter said that he wasn’t told by members of the Obama campaign to end his lobbying activities, but that he knew “the writing was on the wall.” Hunter told his lobbying clients that he would no longer represent them, and resigned from an unpaid seat on the board of Amtrak, a role for which, Hunter said, the Senate Democratic leader Harry Reid had tapped him. “I wanted my father to have a clean slate,” Hunter told me. “I didn’t want to limit him in any way.”

**I**n September, 2008, Hunter launched a boutique consulting firm, Seneca Global Advisors, named for the largest of the Finger Lakes, in New York State, where his mother had grown up. In pitch meetings with prospective clients, Hunter said that he could help small and mid-sized companies expand into markets in the U.S. and other countries. In June, 2009, five months after Joe Biden became Vice-President, Hunter co-founded a second company, Rosemont Seneca Partners, with Christopher Heinz, Senator John Kerry’s stepson and an heir to the food-company fortune, and Devon Archer, a former Abercrombie & Fitch model who started his finance career at Citibank in Asia and who had been friends with Heinz at Yale. (Heinz and Archer already had a private-equity fund called Rosemont Capital.) Heinz believed that Hunter would share his aversion to entering into business deals that could attract public scrutiny, but over time Hunter and Archer seized opportunities that did not include Heinz, who was less inclined to take risks.

In 2012, Archer and Hunter talked to Jonathan Li, who ran a Chinese private-equity fund, Bohai Capital, about becoming partners in a new company that would invest Chinese capital—and, potentially, capital from other countries—in companies outside China. In June, 2013, Li, Archer, and other business partners signed a memorandum of understanding to create the fund, which they named BHR Partners, and, in November, they signed contracts related to the deal. Hunter became an unpaid member of BHR’s board but did not take an equity stake in BHR Partners until after his father left the White House.

In December, 2013, Vice-President Biden flew to Beijing to meet with President Xi Jinping. Biden often asked one of his grandchildren to accompany him on his international trips, and he invited Finnegan to come on this one. Hunter told his father that he wanted to join them.

According to a Beijing-based BHR representative, Hunter, shortly after arriving in Beijing, on December 4th, helped arrange for Li to shake hands with his father in the lobby of the American delegation's hotel. Afterward, Hunter and Li had what both parties described as a social meeting. Hunter told me that he didn't understand why anyone would have been concerned about this. "How do I go to Beijing, halfway around the world, and not see them for a cup of coffee?" he said.

Hunter's meeting with Li and his relationship with BHR attracted little attention at the time, but some of Biden's advisers were worried that Hunter, by meeting with a business associate during his father's visit, would expose the Vice-President to criticism. The former senior White House aide told me that Hunter's behavior invited questions about whether he "was leveraging access for his benefit, which just wasn't done in that White House. Optics really mattered, and that seemed to be cutting it pretty close, even if nothing nefarious was going on." When I asked members of Biden's staff whether they discussed their concerns with the Vice-President, several of them said that they had been too intimidated to do so. "Everyone who works for him has been screamed at," a former adviser told me. Others said that they were wary of hurting his feelings. One business associate told me that Biden, during difficult conversations about his family, "got deeply melancholy, which, to me, is more painful than if someone yelled and screamed at me. It's like you've hurt him terribly. That was always my fear, that I would be really touching a very fragile part of him."

For another venture, Archer travelled to Kiev to pitch investors on a real-estate fund he managed, Rosemont Realty. There, he met Mykola Zlochevsky, the co-founder of Burisma, one of Ukraine's largest natural-gas producers. Zlochevsky had served as ecology minister under the pro-Russian government of Viktor Yanukovich. After public protests in 2013 and early 2014, the Ukrainian parliament had voted to remove Yanukovich and called for his arrest. Under the new Ukrainian government, authorities in Kiev, with the encouragement of the Obama Administration, launched an investigation into whether Zlochevsky had used his cabinet position to grant exploration licenses that benefitted Burisma. (The status of the inquiry is unclear, but no proof of criminal activity has been publicly disclosed. Zlochevsky could not be reached for comment, and Burisma did not respond to queries.) In a related investigation, which was ultimately closed owing to a lack of evidence, British authorities temporarily froze U.K. bank accounts tied to Zlochevsky.

In early 2014, Zlochevsky sought to assemble a high-profile international board to oversee Burisma, telling prospective members that he wanted the company to adopt Western standards of transparency. Among the board members he recruited was a former President of Poland, Aleksander Kwaśniewski, who had a reputation as a dedicated reformer. In early 2014, at Zlochevsky's suggestion, Kwaśniewski met with Archer in Warsaw and encouraged him to join Burisma's board, arguing that the company was critical to Ukraine's independence from Russia. Archer agreed.

When Archer told Hunter that the board needed advice on how to improve the company's corporate governance, Hunter recommended the law firm Boies Schiller Flexner, where he was "of counsel." The firm brought in the investigative agency Nardello & Co. to assess Burisma's history of corruption. Hunter joined Archer on the Burisma board in April, 2014. Three months later, in a draft report to Boies Schiller, Nardello said that it was "unable to identify any information to date regarding any current government investigation into Zlochevsky or Burisma," but cited unnamed sources saying that Zlochevsky could be "vulnerable to investigation for financial crimes" and for "perceived abuse of power."

Vice-President Biden was playing a central role in overseeing U.S. policy in Ukraine, and took the lead in calling on Kiev to fight rampant corruption. On May 13, 2014, after Hunter's role on the Burisma board was reported in the news, Jen Psaki, a State Department spokesperson, said that the State Department was not concerned about perceived conflicts of interest, because Hunter was a "private citizen." Hunter told Burisma's management and other board members that he would not be involved in any matters that were connected to the U.S. government or to his father. Kwaśniewski told me, "We never discussed how the Vice-President can help us. Frankly speaking, we didn't need such help."

Several former officials in the Obama Administration and at the State Department insisted that Hunter's role at Burisma had no effect on his father's policies in Ukraine, but said that, nevertheless, Hunter should not have taken the board seat. As the former senior White House aide put it, there was a perception that "Hunter was on the loose, potentially undermining his father's message." The same aide said that Hunter should have recognized that at least some of his foreign business partners were motivated to work with him because they wanted "to be able to say that they are affiliated with Biden." A former business associate said, "The *appearance* of a conflict of interest is good enough, at this level of politics, to keep you from doing things like that."

In December, 2015, as Joe Biden prepared to return to Ukraine, his aides braced for renewed scrutiny of Hunter's relationship with Burisma. Amos Hochstein, the Obama Administration's special envoy for energy policy, raised the matter with Biden, but did not go so far as to recommend that Hunter leave the board. As Hunter recalled, his father discussed Burisma with him just once: "Dad said, 'I hope you know what you are doing,' and I said, 'I do.'"

**H**unter was not always at ease as the son of the Vice-President. He asked that the Secret Service stop deploying agents to accompany him, a request that was eventually granted. He also became offended when he felt that his father wasn't treated respectfully enough by Obama and his advisers. In 2012, Biden, responding to a question about same-sex marriage on NBC's "Meet the Press," said that he was "absolutely comfortable" with all couples having the "exact same rights." Obama had yet to publicly take a similar stance, and Biden's statement upset some White House officials. Hunter thought that Obama and his advisers should have acknowledged his father's good political instincts.

Hunter said that he limited his social interactions with Biden's White House colleagues, because he didn't want to be in a situation "where I'm playing golf with the President or one of his aides and look at my phone and see another headline that reads 'PRESIDENT MAKES JOKE ABOUT BIDEN.'" Kathleen felt differently about the White House. Their daughter Maisy was in the same class at Sidwell Friends as Sasha, the Obamas' younger daughter. The two girls became close, and Kathleen and Michelle Obama became friends, attending SoulCycle and Solidcore exercise classes together almost every day. Some evenings, they went out to dinner or had drinks at the White House. Kathleen went on vacations with Michelle, mutual friends, and their daughters.

Hunter saw himself as a provider for the Biden family; he even helped to pay off Beau's law-school debts. But he often wished that, like his father and his brother, he could contribute more to society. Through his business, he got to know an Australian-American former military-intelligence officer named Greg Keeley, who regaled him with stories about his career in the Royal Australian Navy. After moving to the United States, at forty, Keeley had obtained an age waiver to join the U.S. Navy as a reservist. While on reserve duty at a U.S. military base in southern Afghanistan on September 11, 2011, he and members of his unit watched Vice-President Biden deliver a speech at the Pentagon about the attacks of 9/11. After the speech, Keeley sent an e-mail to Hunter to tell him that members of his unit thought the Vice-President's message was "spot on." Hunter passed the note on to his father, who wrote Keeley an e-mail. "Keep your heads down," it said. "You are the finest group of warriors in all of history."

Keeley helped convince Hunter that it wasn't too late for him to join the Navy Reserves. He told me, "My message to him was: If you feel the call to serve, which I encouraged, it doesn't really matter what your rank is and what's on your shoulder board—it is that you're serving your country. Hunter took that message to heart and acted upon it." With a letter of recommendation from Keeley, Hunter applied for an age waiver, which the Navy granted. The service has a zero-tolerance drug-and-alcohol-abuse policy, and states that all recruits will be asked "questions about prior drug and alcohol use." Hunter disclosed that he had "used drugs in the past," but said that he was now sober, and the Navy granted him a second waiver.

Hunter had suffered his first relapse, after seven years of sobriety, in November, 2010, when he drank three Bloody Marys on a flight home from a business trip to Madrid. He continued to drink in secret for several months, then confided in Beau and returned to Crossroads Centre. He had another relapse in early 2013, after he suffered from a bout of shingles, for which he was prescribed painkillers. When the prescription ran out, he resumed drinking.

On May 7, 2013, he was assigned to a Reserve unit at Naval Station Norfolk. He had hoped to work in naval intelligence, but was given a job in a public-affairs unit. In a small, private ceremony at the White House, Hunter was sworn in by his father. Later that month, the night before Hunter's first weekend of Reserve duty, he stopped at a bar a few blocks from the White House. Outside, Hunter said, he bummed a cigarette from two men who told him that they were from South Africa. He felt "amped up" as he was driving down to Norfolk, and then "incredibly exhausted." He told me that he called Beau and said, "I don't know what's going on." Beau drove from Delaware to meet Hunter at a hotel near the naval station. "He got me shipshape and drove me into the base," he said. On his first day, Hunter had a urine sample taken for testing.

A few months later, Hunter received a letter saying that his urinalysis had detected cocaine in his system. Under Navy rules, a positive drug test typically triggers a discharge. Hunter wrote a letter to the Navy Reserve, saying that he didn't know how the drug had got into his system and suggesting that the cigarettes he'd smoked outside the bar might have been laced with cocaine. Hunter called Beau, who contacted Tom Gallagher, a former Navy lawyer who had worked with Beau at the U.S. Attorney's office in Philadelphia. Gallagher agreed to represent Hunter pro bono, but it became clear that, given Hunter's history with drugs, an appeals panel was unlikely to believe the story that he had ingested cocaine involuntarily, and that appealing the decision would require closed-door hearings and the testimony of witnesses, increasing the likelihood of leaks to the press. Hunter decided not to appeal. Navy records show that Hunter's discharge took effect on February 18, 2014.

Hunter did not tell anyone except his father and his brother about the reason for his discharge, and he tried to get his drinking under control. In July, 2014, he went to a clinic in Tijuana that provided a treatment using ibogaine, a psychoactive alkaloid derived from the roots of a West African shrub, which is illegal in America. Hunter then drove to Flagstaff, Arizona, where he met with Thom Knoles, a practitioner of Vedic meditation, who said that he advised Hunter to meditate twice a day, to help keep "his cravings for alcohol at bay." Knoles said that Hunter struck him as "just a good man." He was "nearly clean," Knoles said. "But, to be honest, there is such a thing as a dry drunk. I could see that he was in a very delicate position." Knoles said that Hunter told him about how much he relied on Beau for support and confessed that "his relationship with his other great, deep partner in life, his wife, had been brutalized by him through his loss of control."

That fall, Hunter went to Big Sur, California, to attend a twelve-step yoga retreat at the Esalen Institute. Toward the end of his week there, a reporter from the *Wall Street Journal* contacted the Vice-President's office, seeking comment on Hunter's discharge from the Navy. At San Francisco International Airport, Hunter was waiting for his flight home when he saw the story on the front page of the *Journal*. "I was heartbroken," he said.

**I**n the summer of 2013, Hunter, Beau, and their families took a vacation together on Lake Michigan. During the trip, Beau became disoriented and was rushed to the hospital. He'd had a health scare in May, 2010, when—six months after he returned from Iraq—he suffered a stroke. He had appeared to recover quickly, and continued to work as Delaware's attorney general, but he struggled to remember certain words, and sometimes talked about hearing music playing when there was none.

Soon after Beau's admittance to the hospital, doctors identified a mass in his brain. It was glioblastoma multiforme, a type of brain tumor. Patients who receive similar diagnoses tend to live no longer than two years. As Beau received radiation treatment, his motor and speech skills started to decline. In the spring of 2015, he underwent an experimental procedure in which an engineered virus was injected directly into the

tumor, but it was unsuccessful. In late May, doctors removed Beau's tracheostomy tube, telling the family that he would likely die within a few hours. Beau kept breathing on his own for almost a day and a half before he died, surrounded by his family.

On June 6, 2015, thousands of people paid their respects at a service at St. Anthony of Padua Church, in Wilmington. The next day, President Obama, Ashley Biden, and Hunter, who was fearful of public speaking, delivered eulogies. On the drive back to Washington, Hunter—moved by the outpouring of support for him and his family at the funeral—told Kathleen that he was thinking about running for public office. She pointed out that he had only recently been discharged from the Navy after testing positive for cocaine. They rode the rest of the way home in silence. (Kathleen declined to comment for this article.)

In couples therapy, Hunter and Kathleen had reached an agreement: if Hunter started drinking again, he would have to move out of the house. A day after their twenty-second anniversary, Hunter left a therapy session, drank a bottle of vodka, and moved out. Later that month, Zlochevsky, the Burisma co-founder, invited him to Norway on a fishing trip. Hunter brought along Maisy and Beau's nine-year-old son, Robert. Hunter said that, every night, he and his colleagues on the trip drank a single shot of liquor before going to bed. Kathleen found out and was angry. Hunter began to confide in Hallie, whom he was growing closer to.

Hunter said that, in July, 2015, "I tried to show Kathleen: I want back in." He enrolled as an outpatient in the Charles O'Brien Center for Addiction Treatment, at the University of Pennsylvania, where he was prescribed two drugs, one to lessen his cravings and another to make him feel nauseated if he drank. He then enrolled in an inpatient program for executives at Caron Treatment Centers, where he used the pseudonym Hunter Smith. On returning to Washington, he began a program that required him to carry a Breathalyzer with a built-in camera.

That summer, Ashley Madison, a dating service for married people—which used the slogan "Life is short. Have an affair"—disclosed that hackers had breached its user data. In late August, Breitbart reported that it had found a "Robert Biden" profile among the leaked files. Hunter denied that the account belonged to him, but Kathleen was deeply embarrassed by the story. Two months later, Hunter and Kathleen agreed to formally separate. On October 21, 2015, Joe Biden appeared in the White House Rose Garden, flanked by Jill and Obama, and announced that he would not run for President in 2016, talking about the time that it had taken the family to recover from Beau's death.

Until mid-December, Hunter practiced yoga daily. A teacher from his yoga studio told me, "I don't think I've ever seen a person try as hard to heal as he did." When Hunter stopped coming to class, the teacher went to his apartment, near Logan Circle, and knocked on the door. Hunter told me that he pretended not to be at home. For weeks, he said, he left the apartment only to buy bottles of Smirnoff vodka at Logan Circle Liquor. Several times a day, his father called him, and Hunter assured him that he was O.K. Eventually, Biden showed up unannounced at the apartment. Hunter said that his father told him, "I need you. What do we have to do?"

In February, 2016, Hunter went back to the Esalen Institute, and then spent a week skiing by himself at Lake Tahoe. When he returned to Washington, he enrolled in yet another addiction-treatment program, run by the Kolmac Outpatient Recovery Center. On his way to Kolmac, he passed several homeless people, including a middle-aged woman who went by the name Bicycles, because of the bike she took with her everywhere. Later, whenever Hunter saw Bicycles near his apartment, he would give her a twenty-dollar bill to buy him a pack of Marlboro Reds and tell her to keep the change. One rainy night, Hunter said, he offered Bicycles his spare bedroom, and she stayed for several months.

**I**n 2016, Hunter was consulting for five or six major clients. Once or twice a year, he attended Burisma board meetings and energy forums that took place in Europe. He said that, in June, 2016, while in Monte Carlo for a meeting, he went to a hotel night club and used cocaine that a stranger offered him in the bathroom. He told his counsellors at Kolmac about his relapse but refused to take a drug test, out of concern that the results could be used against him and published in the press. When Kolmac's staff insisted that he take the test, he decided to leave the program.

In August, Hunter and Hallie went to the Hamptons with Hallie's children. They texted constantly after getting back, and Hunter started to spend most nights in Delaware, at Hallie's house, watching television until very late. "We were sharing a very specific grief," Hunter recalled. "I started to think of Hallie as the only person in my life who understood my loss."

That fall, Hunter made plans to go to the Grace Grove Lifestyle Center, in Sedona, Arizona. During a layover at Los Angeles International Airport, before his connecting flight to Phoenix, he went to a nearby hotel bar and realized that he had left his wallet on the plane. It had belonged to Beau and still contained his attorney-general identification badge, and also Hunter's driver's license, without which he couldn't board his flight. Using a credit card he had in his pocket, Hunter checked into a hotel in Marina del Rey, where he waited for the airline to return the wallet.

Instead of going to Grace Grove, Hunter stayed in Los Angeles for about a week. He said that he "needed a way to forget," and that, soon after his arrival in L.A., he asked a homeless man in Pershing Square where he could buy crack. Hunter said that the man took him to a nearby homeless encampment, where, in a narrow passageway between tents, someone put a gun to his head before realizing that he was a buyer. He returned to buy more crack a few times that week.

One night, outside a club on Hollywood Boulevard, Hunter and another man got into an argument, and a group of bouncers intervened. A friend of one of the bouncers, a Samoan man who went by the nickname Baby Down, felt sorry for Hunter and took him to Mel's Drive-In to get some food, and to his hotel to pick up his belongings. Early on the morning of October 26th, Baby Down dropped Hunter off at the Hertz rental office at Los Angeles International Airport.

Hunter said that, at that point, he had not slept for several days. Driving east on Interstate 10, just beyond Palm Springs, he lost control of his car, which jumped the median and skidded to a stop on the shoulder of the westbound side. He called Hertz, which came to collect the damaged car and gave him a second rental. Later, on a sharp bend on a mountainous road, Hunter recalled, a large barn owl flew over the hood of the car and then seemed to follow him, dropping in front of the headlights. He said that he has no idea whether the owl was real or a hallucination. On the night of October 28th, Hunter dropped the car off at a Hertz office in Prescott, Arizona, and Grace Grove sent a van to pick him up.

Zachary Romfo, who worked at the Hertz office in Prescott, told me that he found a crack pipe in the car and, on one of the consoles, a line of white-powder residue. Beau Biden's attorney-general badge was on the dashboard. Hertz called the Prescott police department, and officers there filed a "narcotics offense" report, listing the items seized from the car, including a plastic baggie containing a "white powdery substance," a Secret Service business card, credit cards, and Hunter's driver's license. Later, according to a police report, Secret Service agents informed Prescott police that Hunter was "secure/well." Subsequent test results indicated that the glass pipe contained cocaine residue, but investigators didn't find any fingerprints on it. Public prosecutors in the county and the city declined to bring a case against Hunter, citing a lack of evidence that the pipe had been used by him. Jon Paladini, Prescott's city attorney, told me that he was not aware of any requests by officials in Washington to drop the investigation into Hunter. "It's a very Republican area," he said. "I don't think political favors, necessarily, would even work, had they been requested."

After a week at Grace Grove, Hunter checked into a resort spa called Mii Amo, and called Hallie, who flew to meet him. During her stay, Hunter said, they decided to become a couple. When they returned to Delaware, they tried, unsuccessfully, to keep their relationship secret.

On December 9, 2016, Kathleen filed for divorce, and on February 23, 2017, she filed a motion in D.C. Superior Court seeking to freeze Hunter's assets, alleging that he "created financial concerns for the family by spending extravagantly on his own interests (including drugs, alcohol, prostitutes, strip clubs, and gifts for women with whom he has sexual relations), while leaving the family with no funds to pay legitimate bills." The motion was leaked to the *New York Post*, along with the revelation that Hunter and Hallie were dating.

Kathleen told friends that she felt ostracized by the Biden family. Hunter denied hiring prostitutes, and said that he hadn't been to a strip club in years. But, he said, the evening the story was published, "I went directly to a strip club. I said, 'Fuck them.'"

The first that Biden heard of the relationship was when the *Post* asked his office for comment. Hunter issued a statement saying that he and Hallie were "incredibly lucky to have found the love and support we have for each other in such a difficult time." Hunter told me he appealed to his father to make a statement, too: "I said, 'Dad, Dad, you have to.' He said, 'Hunter, I don't know if I should. But I'll do whatever you want me to do.' I said, 'Dad, if people find out, but they think you're not approving of this, it makes it seem wrong. The kids have to know, Dad, that there's nothing wrong with this, and the one person who can tell them that is you.'" A former Biden aide confirmed that Biden agreed to issue a statement because of concerns about Hunter's well-being. Biden told the *Post*, "We are all lucky that Hunter and Hallie found each other as they were putting their lives together again after such sadness. . . . They have mine and Jill's full and complete support and we are happy for them." The *Post* ran the statement under the headline "BEAU BIDEN'S WIDOW HAVING AFFAIR WITH HIS MARRIED BROTHER."

In August, Hunter rented a house in Annapolis, Maryland, where he, Hallie, and her two children hoped to have some privacy, but, several months later, they split up. "All we got was shit from everybody, all the time," Hunter said. "It was really hard. And I realized that I'm not helping anybody by sticking around." (Hallie declined to comment.) In early 2018, he moved to Los Angeles. The idea, he said, was to "completely disappear."

Hunter said that, in divorce proceedings, he offered to give Kathleen "everything," including a monthly payment of thirty-seven thousand dollars for alimony, tuition, and child-care costs for a decade. Hunter told me that he was living on approximately four thousand dollars a month; he was hardly poor, but it was an adjustment. On occasion, transactions on his credit cards were declined.

One of Kathleen's motions contains a reference to "a large diamond" that had come into Hunter's possession. The motion seems to imply that it was one of Hunter's "personal indulgences." When I asked him about it, he told me that he had been given the diamond by the Chinese energy tycoon Ye Jianming, who was trying to make connections in Washington among prominent Democrats and Republicans, and whom he had met in the middle of the divorce. Hunter told me that two associates accompanied him to his first meeting with Ye, in Miami, and that they surprised him by giving Ye a magnum of rare vintage Scotch worth thousands of dollars.

Hunter was on the board of the World Food Program USA, a nonprofit that generates support for the U.N. World Food Programme, and he had hoped that Ye would make a large aid donation. At dinner that night, they discussed the donation, and then the conversation turned to business opportunities. Hunter offered to use his contacts to help identify investment opportunities for Ye's company, CEFC China Energy, in liquefied-natural-gas projects in the United States. After the dinner, Ye sent a 2.8-carat diamond to Hunter's hotel room with a card thanking him for their meeting. "I was, like, Oh, my God," Hunter said. (In Kathleen's court motion, the diamond is estimated to be worth eighty thousand dollars. Hunter said he believes the value is closer to ten thousand.) When I asked him if he thought the diamond was intended as a bribe, he said no: "What would they be bribing me for? My dad wasn't in office." Hunter said that he gave the diamond to his associates, and doesn't know what they did with it. "I knew it wasn't a good idea to take it. I just felt like it was weird," he said.

Hunter began negotiating a deal for CEFC to invest forty million dollars in a liquefied-natural-gas project on Monkey Island, in Louisiana, which, he said, was projected to create thousands of jobs. "I was more proud of it than you can imagine," he told me. In the summer of 2017, Ye talked with Hunter about his concern that U.S. law-enforcement agencies were investigating one of his associates, Patrick Ho. Hunter, who sometimes works as a private lawyer, agreed to represent Ho, and tried to figure out whether Ho was in legal jeopardy in the U.S. That November, just after Ye and Hunter agreed on the Monkey Island deal, U.S. authorities detained Ho at the airport. He was later sentenced to three years in prison for his role in a multiyear, multimillion-dollar scheme to bribe top government officials in Chad and Uganda in exchange for business advantages for CEFC. In February, 2018, Ye was detained by Chinese authorities, reportedly as part of an anti-corruption

investigation, and the deal with Hunter fell through. Hunter said that he did not consider Ye to be a “shady character at all,” and characterized the outcome as “bad luck.”

Joe Biden is hardly the first politician to have faced scrutiny for the business dealings of a family member. In 1973, during the Watergate investigation, the *Washington Post* reported that Richard Nixon had the phone of his brother Donald tapped for at least a year, because he feared that Donald’s “various financial activities might bring embarrassment to the Nixon administration.” In the late seventies, the F.B.I. investigated President Jimmy Carter’s younger brother, Billy, after it emerged that he was on the payroll of the Libyan government. In an extensive report on the affair issued by the Senate Judiciary Committee, of which Biden was a member, Billy was quoted as saying that “he did not need anyone in Washington telling him how to conduct his private business.” Carter said that he had tried, unsuccessfully, to “discourage Billy from making any other trip to Libya” and “to keep him out of the newspapers for a few weeks.”

*Hunter Biden and Melissa Cohen on the roof deck in L.A. where they were married.* Photograph by Philip Montgomery for The New Yorker

Biden's approach was to deal with Hunter's activities by largely ignoring them. This may have temporarily allowed Biden to truthfully inform reporters that his decisions were not affected by Hunter. But, as Robert Weissman, the president of the advocacy group Public Citizen, said,

“It’s hard to avoid the conclusion that Hunter’s foreign employers and partners were seeking to leverage Hunter’s relationship with Joe, either by seeking improper influence or to project access to him.”

It is clear that Hunter and Biden’s decades-old decision not to discuss business matters has exposed both father and son to attacks. (Biden declined to comment for this article.) In March of last year, Peter Schweizer, a conservative researcher and a senior editor-at-large at Breitbart, published “Secret Empires: How the American Political Class Hides Corruption and Enriches Family and Friends.” Schweizer is best known for “Clinton Cash: The Untold Story of How and Why Foreign Governments and Businesses Helped Make Bill and Hillary Clinton Rich,” which was released in May, 2015. Research for that book was funded by the Government Accountability Institute, which Schweizer co-founded, in 2012, with Stephen Bannon. Under the law, the G.A.I. is a nonpartisan organization. But, as Joshua Green wrote, in “Devil’s Bargain,” his book about Bannon’s role in Trump’s rise, Bannon saw “Clinton Cash” as “the key to orchestrating Hillary Clinton’s downfall.” It was, Green writes, “the culmination of everything Bannon learned during his time in Goldman Sachs, Internet Gaming Entertainment, Hollywood, and Breitbart News.”

As Bannon and Schweizer had hoped, investigative journalists from the mainstream press followed up on Schweizer’s many examples of the Clintons’ purported conflicts of interest. In April, 2015, two weeks before Schweizer’s book came out, the *Times* published a front-page article, by Jo Becker and Mike McIntire, that cited Schweizer’s research alongside Becker’s own reporting from 2008. The article singled out a Canadian mining magnate, Frank Giustra, who donated tens of millions of dollars to the Clinton Foundation. The story suggested that the donations of Giustra and others might have created conflicts of interest, at a time when the Obama Administration was negotiating to allow the Russian state nuclear corporation Rosatom to gain control of a swath of America’s untapped uranium deposits by purchasing the Canadian company Uranium One. The *Times* was criticized for building on Schweizer’s work, and, two years later, Eileen Sullivan, in another *Times* article, wrote, “There has been no evidence that donations to the Clinton Foundation influenced the Uranium One deal.” Still, “Clinton Cash” did exactly what Bannon hoped it would do, Green writes, “sully Clinton’s image in a way that she never fully recovered from.”

“Secret Empires,” which details Hunter’s activities in China and Ukraine, focusses on what Schweizer calls “corruption by proxy,” which he defines as a “new corruption” that is “difficult to detect” and that, though often legal, makes “good money for a politician and his family and friends” and leaves “American politicians vulnerable to overseas financial pressure.” Schweizer often relies on innuendo to supplement his reporting. At one point, he describes “one of the few public sightings” of Hunter in Beijing, when Hunter, “dressed in a dark overcoat,” followed Biden into a shop to buy a Magnum ice cream. “Intentionally or not,” Schweizer writes, “Hunter Biden was showing the Chinese that he had *guanxi*”—connections.

Schweizer asserts that “Rosemont Seneca Partners had been negotiating an exclusive deal with Chinese officials, which they signed approximately ten days after Hunter visited China with his father.” In fact, the deal had been signed before the trip—according to the BHR representative, it was a business license that came through shortly afterward—and Hunter was not a signatory. Hunter and Archer said that they never met with any Chinese officials about the fund. And the deal wasn’t with Rosemont Seneca Partners but with a new holding company, established solely by Archer; Christopher Heinz was not part of the BHR transaction. Schweizer also asserts that the Chinese fund was “lucrative” for Hunter, but Hunter and his business partners told me that he has yet to receive a payment from the company.

**I**n October, 2017, the special counsel [Robert Mueller](#), investigating Russian interference in the 2016 Presidential election, indicted Paul Manafort, Trump’s former campaign chairman, on twelve counts, including committing conspiracy against the United States by failing to register as a foreign agent of Ukraine. (Manafort pleaded guilty to that charge in September, 2018.) Making a case that Hunter had his own Ukrainian scandal, Schweizer implies that Joe Biden had been consulted in advance about Hunter and Archer’s work with Burisma. On April 16, 2014, he notes, shortly before the announcement that Hunter and Archer had taken seats on the company’s board, Archer made a “private

visit to the White House for a meeting with Vice-President Biden.” Hunter, Archer, and Archer’s son Lukas, who is now twelve, told me that the visit was arranged by Hunter for Lukas, who was working on a model of the White House for a grade-school assignment. Afterward, Lukas posted a picture on Instagram of himself shaking the Vice-President’s hand. Hunter and Archer said that Burisma was never discussed.

Rudolph Giuliani, Trump’s personal lawyer, has also aggressively promoted what he has called the “alleged Ukraine conspiracy” in interviews and on social media. Giuliani told me that, in the fall of 2018, he spoke to Viktor Shokin, Ukraine’s former prosecutor general. Shokin told him that Vice-President Biden had him fired in 2016 because he was investigating Burisma and the company’s payments to Hunter and Archer. Giuliani said that, in January, 2019, he met with Yuriy Lutsenko, Ukraine’s current prosecutor general, in New York, and Lutsenko confirmed Shokin’s version of events.

On April 1, 2019, John Solomon, an opinion contributor to *The Hill*, wrote about Shokin’s claim that he had been conducting a corruption probe into Burisma and Hunter when he was dismissed. A month later, the *Times* reported that Hunter “was on the board of an energy company owned by a Ukrainian oligarch who had been in the sights of the fired prosecutor general.” The story, by Kenneth P. Vogel and Iuliia Mendel, provoked some Democrats to express concern that the *Times* was again lending credence to allegations made by Schweizer and other Trump allies. Giuliani retweeted the article, and Trump called for the Justice Department to investigate. Jon Favreau, a former speechwriter for President Obama, tweeted, “Zero lessons have been learned from 2016: 1. Mainstream outlet credulously accepts Trump conspiracy about opponent 2. Trump propaganda machine uses story to spread the conspiracy on social media and through digital ads 3. Voters believe it, ignoring subsequent fact checks.”

There is no credible evidence that Biden sought Shokin’s removal in order to protect Hunter. According to Amos Hochstein, the Obama Administration’s special envoy for energy policy, Shokin was removed because of concerns by the International Monetary Fund, the European Union, and the U.S. government that he wasn’t pursuing corruption investigations. Contrary to the assertions that Shokin was fired because he was investigating Burisma and Zlochevsky, Hochstein said, “many of us in the U.S. government believed that Shokin was the one protecting Zlochevsky.” In May, Giuliani scheduled a visit to Ukraine, and told the *Times* that he would look into Hunter’s involvement with Burisma, “because that information will be very, very helpful to my client,” but then abruptly cancelled the trip, amid reports that Ukraine’s President-elect was unwilling to meet with him. A week later, on May 16th, Lutsenko appeared to shift his position on Burisma, telling Bloomberg News that he saw no evidence of wrongdoing by Biden or his son, and that “a company can pay however much it wants to its board.” The reasons for his reversal were unclear, but Daria Kaleniuk, the head of the Anti-Corruption Action Center, in Kiev, speculated that Lutsenko, in talking with Giuliani, had been trying to “pump his political muscle,” a strategy that had proved ineffective in the new political climate.

That month, Hunter declined Burisma’s offer to serve another term on the board, believing that the controversy had become a distraction. But he said that he was proud of his work there, and that he thought the criticism was misplaced. “I feel the decisions that I made were the right decisions for my family and for me,” he told me. “Was it worth it? Was it worth the pain? No. It certainly wasn’t worth the grief.” He went on, “I would never have been able to predict that Donald Trump would have picked me out as the tip of the spear against the one person they believe can beat them.”

And yet, to many voters, the controversy over Hunter’s business dealings will appear to have been avoidable, a product of Biden’s resistance to having difficult conversations, particularly those involving his family. Hunter said that, in his talks with his father, “I’m saying sorry to him, and he says, ‘I’m the one who’s sorry,’ and we have an ongoing debate about who should be more sorry. And we both realize that the only true antidote to any of this is winning. He says, ‘Look, it’s going to go away.’ There is truly a higher purpose here, and this will go away. So can you survive the assault?”

In early May, Hunter met a thirty-two-year-old South African woman named Melissa Cohen, a filmmaker who was working on a series of documentaries about indigenous tribes in southern Africa. A few days after their first date, Hunter had the word “shalom” tattooed in Hebrew letters on the inside of his left bicep, to match a tattoo that Cohen has in the same spot. On May 15th, less than a week after they met, he proposed. The next morning, she accepted, and he bought the simplest gold wedding bands he could find, then called a marriage service, which sent over an officiant.

A month later, on the roof deck of Cohen’s apartment, off the Sunset Strip, Cohen sat on a bench next to Hunter, who was wearing jeans and a T-shirt emblazoned with the slogan “BE FUCKING NICE.” Hunter recalled that, after the ceremony, “I called my dad and said that we just got married. He was on speaker, and he said to her, ‘Thank you for giving my son the courage to love again.’” Hunter paused, his eyes filling with tears. “And he said to me, ‘Honey, I knew that when you found love again that I’d get you back.’” Cohen rubbed his shoulders. He went on, “And my reply was, I said, ‘Dad, I always had love. And the only thing that allowed me to see it was the fact that you never gave up on me, you always believed in me.’”

Hunter told me that, on a recent evening, he had seen reports on Twitter that Trump was calling for him to be investigated by the Justice Department. Then Hunter noticed a helicopter overhead. “I said, ‘I hope they’re taking pictures of us right now. I hope it’s a live feed to the President so he can see just how much I care about the tweets.’” He went on, “I told Melissa, ‘I don’t care. Fuck you, Mr. President. Here I am, living my life.’” ♦

A previous version of this article misspelled Brian McGlinchey’s last name and mischaracterized the New York *Times*’ interaction with Peter Schweizer and its reporting on Uranium One.

*Published in the print edition of the July 8 & 15, 2019, issue, with the headline “Father and Son.”*



*Adam Entous became a staff writer at The New Yorker in 2018. He was a member of a team at the Washington Post that won the Pulitzer Prize for national reporting.*

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More: [Joe Biden](#) [Sons](#) [Presidential Candidates](#) [2020 Election](#) [Drugs](#) [Hunter Biden](#)

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**From:** [REDACTED]  
**Sent:** Tue, 22 Mar 2016 10:43:00 -0400  
**To:** Hochstein, Amos J  
**Subject:** RE: Requesting meeting with Special Envoy Hochstein - Sally Painter/Karen Tramontano

Confirmed for *this* Thursday at 11:00.

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**From:** Hochstein, Amos J  
**Sent:** Monday, March 21, 2016 12:29 PM  
**To:** [REDACTED]  
**Subject:** FW: Requesting meeting with Special Envoy Hochstein - Sally Painter/Karen Tramontano

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**From:** Sean Keeley [<mailto:Sean.Keeley@bluestarstrategies.com>]  
**Sent:** Monday, March 21, 2016 11:55 AM  
**To:** Hochstein, Amos J; [REDACTED]  
**Cc:** [REDACTED]; Sally Painter; Karen Tramontano  
**Subject:** Requesting meeting with Special Envoy Hochstein - Sally Painter/Karen Tramontano

Dear Mr. Hochstein,

I am writing on behalf of Sally Painter and Karen Tramontano at Blue Star Strategies to request a meeting this week. I understand that you have previously met with Sally regarding energy issues in Ukraine, and she is hoping to brief you on a sensitive energy matter ahead of President Poroshenko's upcoming visit to DC next week.

Sally and Karen, schedule permitting, would be accompanied by John Buretta of Cravath, who is assisting us with this particular energy case. The best times for his schedule are this Tuesday before noon or Thursday before 1:30pm. If either day is possible for a quick meeting, we would be greatly appreciative. Please let us know what might work with your schedule this week and thank you for your consideration.

Best,  
Sean Keeley  
Associate, Blue Star Strategies

**Sean Keeley**  
Blue Star Strategies  
888 17th Street NW, Suite 800  
Washington, DC 20006  
(+1) 202-833-1281 office  
(+1) 202-650-5464 direct  
(+1) 202-822-9088 fax  
[sean.keeley@bluestarstrategies.com](mailto:sean.keeley@bluestarstrategies.com)  
[www.bluestarstrategies.com](http://www.bluestarstrategies.com)

# United States Senate

WASHINGTON, DC 20510

June 27, 2014

The President  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President:

Ukraine's successful presidential election on May 25 demonstrated the resolve and fortitude of the Ukrainian people, and offered reason to be hopeful that a strong, stable, and democratic Ukraine will emerge from Russia's assault on its sovereignty. We commend Vice President Biden for attending President Poroshenko's inauguration in Kiev on June 7, and we welcome his announcement of additional U.S. assistance to Ukraine.

As President Poroshenko takes office, we must work closely with Ukraine to confront the urgent challenges posed by separatist violence and economic instability, while also addressing Ukraine's dangerous reliance on Russian energy supplies. Ukrainian and Russian officials have been in gridlocked negotiations over trade in natural gas since March, when Russian state-controlled oil giant Gazprom raised the price of natural gas to Ukraine by 80 percent and threatened to cut off supplies. Last week, Gazprom followed through on those threats and cut off natural gas supplies to Ukraine, heightening energy security concerns in Ukraine and across Europe. Nothing could transform Ukraine's strategic position in the region more fundamentally than major advancements in energy independence. Toward that end, we urge you to make energy efficiency measures, and the development of Ukraine's domestic energy resources, centerpieces of your early engagements with the new leadership.

Ukraine is the second-least energy efficient country in the world. According to the International Energy Agency, if Ukraine were only as energy efficient as the average country in Europe, Ukraine could reduce natural gas consumption by more than 50 percent, essentially eliminating its dependence on natural gas imports from Russia. Ukrainians are asking for this type of support. In April, a coalition of 35 Ukrainian mayors sent a letter urgently requesting assistance in increasing the energy efficiency of their buildings, district heating systems, and transportation networks in order to reduce dependence on imports of natural gas from Russia.

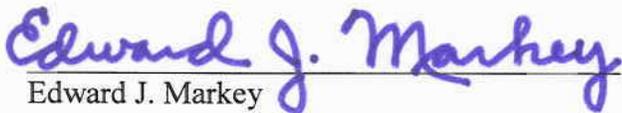
At the same time, Ukraine has massive untapped natural gas deposits of its own – their shale gas resources are the third-largest in Europe – and domestic production has the potential to double over the next decade.

The \$17 billion loan package approved by the International Monetary Fund to help stabilize the economy of Ukraine requires reforms of energy markets in Ukraine and elimination

of energy subsidies, which currently make up eight percent of the country's gross domestic product. Eliminating these subsidies will raise retail natural gas rates by 56 percent in 2014, 40 percent in 2015, and 20 percent in 2016 and 2017. While these reforms are critical to rooting out corruption and increasing market transparency, they have the potential to undermine support for the new government if not coupled with aggressive measures to help Ukrainian households cope with these higher energy costs. A focused effort on improving energy efficiency has the potential to provide broad-based economic benefits that might not be provided otherwise without a substantial expansion of the country's social safety net.

We should leverage the full resources and expertise of the U.S. government to assist Ukraine in improving its energy efficiency, increasing its domestic production, and reforming its energy markets. The United States is well-positioned to lead an international coalition to help Ukraine accelerate its progress on this agenda. The State Department, USAID, the Overseas Private Investment Corporation, the Export-Import Bank, and the U.S. Trade and Development Agency all have relevant technical expertise and financing tools that can be brought to bear on the problem. We look forward to working with your Administration to ensure we are using every tool at our disposal to address this important challenge.

Sincerely,



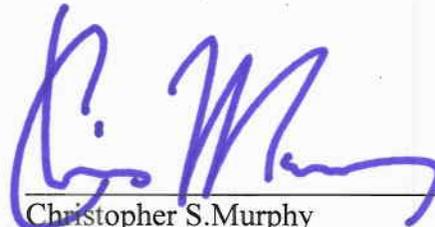
Edward J. Markey  
United States Senator



Ron Wyden  
United States Senator



Jeanne Shaheen  
United States Senator



Christopher S. Murphy  
United States Senator

**From:**Pyatt, Geoffrey R  
**Sent:**Sun, 6 Dec 2015 11:13:00 -0500  
**To:**Bedingfield, Kate J. EOP/OVP;Carpenter, Michael;Kahl, Colin H. EOP/OVP;Hochstein, Amos J;Nuland, Victoria J  
**Subject:**Re: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

I'd adjust the last sentence to change our desired end state. Something like "...begin rooting out the cancer of corruption that has done so much over the years to hold back economic growth and sap the confidence of Ukrainians in those who govern them."

I assume all have the DoJ background on Zlochevsky. The short unclas version (in non lawyer language) is that US and UK were cooperating on a case to seize his corrupt assets overseas (which had passed through the US). The case fell apart when individuals in the PGO acted to thwart the UK case.

Sent from my BlackBerry 10 smartphone.

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**From:** Bedingfield, Kate J. EOP/OVP  
**Sent:** Sunday, December 6, 2015 6:04 PM  
**To:** Carpenter, Michael; Pyatt, Geoffrey R; Kahl, Colin H. EOP/OVP; Hochstein, Amos J  
**Subject:** RE: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

Proposed TPs for the VP if he gets asked after the stories break in the next few days. Especially interested in your feedback on how to answer the third Q if he gets asked. He is not currently slated to take any questions from reporters on the record on the trip, but he will talk to our traveling press at length off the record and will need to be prepared to answer these kinds of questions.

#### TALKING POINTS

- My son is a private citizen and I'm not going to get into discussing his personal business, it has no impact on my work.
- What I will say, though, is that no one has been tougher in pushing Ukrainian leaders to root out corruption than I have. It has been a primary focus of my discussions, both publicly and privately, for years. And I think you can see from the substance of this trip it remains a major priority for me and for the US government.
- Important strides have been made – the appointment of a Special Anti-Corruption Prosecutor and the establishment of an independent Inspector General to prosecute corrupt prosecutors are two good ones. But much more needs to be done and we will continue to encourage everyone involved to commit to meaningful reforms.

Q: Have you asked Hunter to step down from the board? Has he discussed that with you?

A: I'm not going to discuss private conversations with my family. Hunter is a private citizen and does independent work.

Q: Do the optics of this situation undermine your credibility when you're pushing the Ukrainians to clean up their own house?

A: No. I have long pushed and will continue to push for the Ukrainian government to root out corrupt practices. My record on this speaks for itself. I have called on Ukrainian leadership to root out corruption, encouraged civil society reformers to remain focused on this and push the government themselves, and I welcome the news that the government will appoint a Special Anti-Corruption Prosecutor. Important steps have been taken, but there is so much left to be done. Corrupt officials must be brought to justice and reformers must work together to ensure this happens

Q: Do you think Zlochevsky is corrupt?

A: I'm not going to get into naming names or accusing individuals. We have been working consistently to push the Ukrainian leadership to make meaningful changes in the Prosecutor General's office and across the government to help ensure that the Ukrainian people are represented fairly and fully.

-----Original Message-----

From: Carpenter, Michael [<http://redirect.state.sbu/?url=mailto:> ]  
Sent: Sunday, December 6, 2015 6:23 AM  
To: 'PyattGR' < >; Kahl, Colin H. EOP/OVP < >;  
Bedingfield, Kate J. EOP/OVP < >  
Subject: Re: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

Ugh.

+ Kate, CK

From: Pyatt, Geoffrey R [<http://redirect.state.sbu/?url=mailto:> ]  
Sent: Sunday, December 06, 2015 01:45 AM  
To: Carpenter, Michael  
Subject: FW: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

A really nasty Russian outlet on the same issue

This email is UNCLASSIFIED.

From: lbi@lbicompany.com.ua [<http://redirect.state.sbu/?url=mailto:lbi@lbicompany.com.ua>]  
Sent: Saturday, December 05, 2015 7:05 PM  
To: Kyiv, Media Alerts  
Subject: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

this web site is very similar (stile, shrifts etc) to Ukrainian Podrobnosti that belongs to Inter TV Channel - the same name as its TV summary news block at 8pm

but we checked contacts and there is a Russian address there

Podrobnosti.biz

The Ukrainian scam of the Biden family

05.12.2015

Author: Eugene Prosvirin

The news that the son of the US Vice President Joe Biden was appointed to the board of directors of the Ukrainian gas company Burisma Holdings, for the first time appeared in media last spring.

The Internet marked this new appointment unequivocally - a massive stamping folklore entertainment began in social networks. The story had got a special piquancy - Joe Biden's visit to Kyiv in April, where he took a place of the president of Ukraine, not the guest at the negotiation table.

There were even such headlines: "Hunter Biden: a rape of Ukraine with a special cynicism."

The hatred among the public was coursed by the fact that Biden's tandem participates not only in Ukrainian politics, but in the Ukrainian business as well. However, neither Joe nor Hunter weren't ashamed of their imperial approach. On the contrary, they have demonstrated that this could be and should be.

Hunter demonstrated his true management potential in six months after the appointment. In mid-October 2014 it became clear that he failed out of the US Navy Reserve. Hunter failed an ordinary drug test - it was accused of cocaine use. A failed sailor, but a successful businessman due to family ties, said then that he was "deeply sorry" about the incident.

He still owns an investment-consulting company Rosemont Seneca Partners. Nobody took his place at the chair Board of the US World Food Programme, which, with other things, works directly with the UN World Food Programme. He still heads the Burisma Holdings, part of Kolomoisky's financial empire.

A tandem of the influential father and the enriched son opened not a small window but a real portal of capabilities for the Biden family in Ukraine. Analysts make an unnerving forecast : it is quite possible that the Biden family will begin a large-scale privatization in Ukraine, which in fact would be a banal

raider seizure of state enterprises. The family has already watched their six at the politician field - it's time to do American business .

>[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://podrobnosti.biz/news/12432-ukrainskaya-aferra-semeystva-bayden/?\\_utl\\_t=vk](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://podrobnosti.biz/news/12432-ukrainskaya-aferra-semeystva-bayden/?_utl_t=vk)<

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With best regards,  
LBI Team

><http://redirect.state.sbu/?url=www.lbicompany.com.ua><  
(044) 501 58 41



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With best regards,  
LBI Team

><http://redirect.state.sbu/?url=www.lbicompany.com.ua><  
(044) 501 58 41



**From:** Bedingfield, Kate J. EOP/OVP  
**Sent:** Sun, 6 Dec 2015 16:03:27 +0000  
**To:** Carpenter, Michael R. EOP/OVP; 'PyattGR [REDACTED]'; Kahl, Colin H. EOP/OVP; hochsteinaj [REDACTED]  
**Subject:** RE: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

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Bedingfield, Kate J. EOP/OVP <[REDACTED]>  
Subject: Re: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

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From: Pyatt, Geoffrey R [[http://redirect.state.sbu/?url=mailto:\[REDACTED\]](http://redirect.state.sbu/?url=mailto:[REDACTED])]  
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To: Carpenter, Michael  
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- the same name as its TV summary news block at 8pm

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Podrobnosti.biz

The Ukrainian scam of the Biden family

05.12.2015

Author: Eugene Prosvirin

The news that the son of the US Vice President Joe Biden was appointed to the board of directors of the Ukrainian gas company Burisma Holdings, for the first time appeared in media last spring.

The Internet marked this new appointment unequivocally - a massive stamping folklore entertainment began in social networks. The story had got a special piquancy - Joe Biden's visit to Kyiv in April, where he took a place of the president of Ukraine, not the guest at the negotiation table.

There were even such headlines: "Hunter Biden: a rape of Ukraine with a special cynicism."

The hatred among the public was coursed by the fact that Biden's tandem participates not only in Ukrainian politics, but in the Ukrainian business as well. However, neither Joe nor Hunter weren't ashamed of their imperial approach. On the contrary, they have demonstrated that this could be and should be.

Hunter demonstrated his true management potential in six months after the appointment. In mid-October 2014 it became clear that he failed out of the US Navy Reserve. Hunter failed an ordinary drug test - it was accused of cocaine use. A failed sailor, but a successful businessman due to family ties, said then that he was "deeply sorry" about the incident.

He still owns an investment-consulting company Rosemont Seneca Partners. Nobody took his place at the chair Board of the US World Food Programme, which, with other things, works directly with the UN World Food Programme. He still heads the Burisma Holdings, part of Kolomoisky's financial empire.

A tandem of the influential father and the enriched son opened not a small window but a real portal of capabilities for the Biden family in Ukraine. Analysts make an unnerving forecast : it is quite possible that the Biden family will begin a large-scale privatization in Ukraine, which in fact would be a banal raider seizure of state enterprises. The family has already watched their six at the politician field - it's time to do American business .

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With best regards,  
LBI Team

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(044) 501 58 41



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With be

st regards,  
LBI Team

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(044) 501 58 41

United States Senate  
WASHINGTON, DC 20510

February 12, 2016

H.E. Petro Poroshenko  
President of Ukraine  
Presidential Administration of Ukraine  
11 Bankova Street  
Kyiv, Ukraine 01220

Dear President Poroshenko,

As members of the U.S. Senate Ukraine Caucus and strong supporters of your government, we write to express our concern regarding the recent resignation of Minister of Economy Aivaras Abromavičius and his allegations of persistent corruption in the Ukrainian political system.

During the past year, Mr. Abromavičius and his team implemented tough but necessary economic reforms, worked to combat endemic corruption, and promoted more openness and transparency in government. He was known to many of us as a respected reformer and supporter of the Ukrainian cause. Minister Abromavičius's allegations raise concerns about the enormous challenges that remain in your efforts to reform the corrupt system you inherited.

We recognize that your governing coalition faces not only endemic corruption left from decades of mismanagement and cronyism, but also an illegal armed seizure of territory by Russia and its proxies. Tackling such obstacles to reforms amidst a war and the loss of much of southeastern Ukraine's economic productivity is a formidable challenge -- one which we remain committed to helping you overcome.

Succeeding in these reforms will show Russian President Vladimir Putin that an independent, transparent, and democratic Ukraine can and will succeed. It also offers a stark alternative to the authoritarianism and oligarchic cronyism prevalent in Russia. As such, we respectfully ask that you address the serious concerns raised by Minister Abromavičius. We similarly urge you to press ahead with urgent reforms to the Prosecutor General's office and judiciary. The unanimous adoption by the Cabinet of Ministers of the Basic Principles and Action Plan is a good step.

We very much appreciate your leadership and commitment to reform since the Ukrainian people demonstrated their resolve on the Maidan two years ago, and we look forward to continued cooperation in the future.

Sincerely,

*Rob Portman*

Senator Rob Portman

*Dick Durbin Jeanne Shaheen*

Senator Richard J. Durbin

Senator Jeanne Shaheen

*Ron Johnson*

Senator Ron Johnson

*Chris Murphy Mark Kirk*

Senator Chris Murphy

Senator Mark Kirk

*Richard Blumenthal*

Senator Richard Blumenthal

*Sherrod Brown*

Senator Sherrod Brown

# United States Senate

WASHINGTON, DC 20510

September 27, 2019

## VIA ELECTRONIC TRANSMISSION

The Honorable William Barr  
Attorney General  
Department of Justice

Dear Attorney General Barr:

We write to follow up on Senator Grassley's July 20, 2017 letter, which highlighted brazen efforts by the Democratic National Committee and Hillary Clinton campaign to use the government of Ukraine for the express purpose of finding negative information on then-candidate Trump in order to undermine his campaign.<sup>1</sup> That letter also highlighted news reports that, during the 2016 presidential election, "Ukrainian government officials tried to help Hillary Clinton and undermine Trump" and did so by "disseminat[ing] documents implicating a top Trump aide in corruption and suggest[ing] they were investigating the matter[.]"<sup>2</sup> Ukrainian officials also reportedly "helped Clinton's allies research damaging information on Trump and his advisers."<sup>3</sup>

At the center of this plan was Alexandra Chalupa, described by reports as a Ukrainian-American operative "who was consulting for the Democratic National Committee" and who reportedly met with Ukrainian officials during the presidential election for the express purpose of exposing alleged ties between then-candidate Donald Trump, Paul Manafort, and Russia.<sup>4</sup> *Politico* also reported on a *Financial Times* story that quoted a Ukrainian legislator, Serhiy Leschenko, as saying that Trump's candidacy caused "Kiev's wider political leadership to do something they would never have attempted before: intervene, however indirectly, in a U.S. election."<sup>5</sup>

The July 20, 2017 letter further noted that the Democratic National Committee encouraged Chalupa to work with Ukrainian embassy staff to "arrange an interview in which Poroshenko [the president of Ukraine] might discuss Manafort's ties to Yanukovich."<sup>6</sup> In March 2016, Chalupa met with Valeriy Chaly, Ukraine's ambassador to the U.S., and Oksana Shulyar, a top aid to the Ukrainian ambassador, to share her alleged concerns about Manafort. Reports state that the purpose of that initial meeting was to "organize a June reception at the embassy to promote Ukraine." However, another Ukrainian embassy official, Andrii Telizhenko, told

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<sup>1</sup> Letter from Hon. Charles E. Grassley, Chairman, Senate Committee on the Judiciary, to Hon. Rod J. Rosenstein, Attorney General, U.S. Department of Justice (July 20, 2017), *available at* <https://www.grassley.senate.gov/sites/default/files/constituents/2017-0720%20CEG%20to%20DOJ%20%28Ukraine%20DNC%20FARA%29.pdf>.

<sup>2</sup> *Id.*

<sup>3</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, *POLITICO* (Jan. 11, 2017), <https://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

*Politico* that Shulyar instructed him to assist Chalupa with research to connect Trump, Manafort, and the Russians. He reportedly said, “[t]hey were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa” and that “Oksana [Shulyar] was keeping it all quiet...the embassy worked very closely with” Chalupa.<sup>7</sup> In a May 2019 article, Telizhenko was quoted as saying,

[Chalupa] said the DNC wanted to collect evidence that Trump, his organization and Manafort were Russian assets, working to hurt the U.S. and working with [Russian President Vladimir] Putin against the U.S. interests. She indicated if we could find the evidence they would introduce it in Congress in September and try to build a case that Trump should be removed from the ballot, from the election.<sup>8</sup>

Reportedly, Telizhenko was instructed by the Ukrainian government to meet with an American journalist about Paul Manafort’s ties to Ukraine.<sup>9</sup> In addition, in May 2016, Chalupa emailed a DNC official stating that she met with 68 Ukrainian investigative journalists about Manafort and that there would be “[a] lot more coming down the pipe.”<sup>10</sup> Less than a month later, the “black ledger” identifying payments made to Manafort from Ukrainian politicians was publicly released.<sup>11</sup> And finally, Nellie Ohr, the wife of Justice Department official Bruce Ohr, stated during a congressional interview that Fusion GPS used Serhiy Leschenko, a Ukrainian politician that admitted Ukraine intervened in the 2016 election, as a source for derogatory material against then-candidate Trump.<sup>12</sup>

After two years, more than 2,800 subpoenas, approximately 500 search warrants and witness interviews, and \$30 million in taxpayer money, Robert Mueller reported that then-candidate Trump did not collude with the Russians or any other foreign government to interfere with the 2016 presidential election.<sup>13</sup> In contrast, however, the Clinton campaign and Democratic National Committee hired Fusion GPS to conduct opposition research against candidate Trump, which included, among other efforts, the hiring of former British Intelligence Officer Christopher Steele to compile the “Steele Dossier” that reportedly used Russian government sources for information. These facts continue to raise concerns about foreign assistance in the 2016 election that have not been thoroughly addressed.

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<sup>7</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, *POLITICO* (Jan. 11, 2017), <https://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>

<sup>8</sup> John Solomon, *Ukrainian Embassy confirms DNC contractor solicited Trump dirt in 2016*, *The Hill* (May 2, 2019), <https://thehill.com/opinion/white-house/441892-ukrainian-embassy-confirms-dnc-contractor-solicited-trump-dirt-in-2016>

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Jack Gillum et al., *Manafort firm received Ukraine ledger payout*, *AP* (Apr. 12, 2017), [available at https://www.apnews.com/20cfc75c82eb4a67b94e624e97207e23](https://www.apnews.com/20cfc75c82eb4a67b94e624e97207e23).

<sup>12</sup> Transcript of Nellie Ohr Interview, Executive Session House Committee on the Judiciary joint with the Committee on Government Reform and Oversight (Oct. 19, 2018), [available at https://dougcollins.house.gov/sites/dougcollins.house.gov/files/10.19.18%20Nellie%20Ohr%20Interview.pdf](https://dougcollins.house.gov/sites/dougcollins.house.gov/files/10.19.18%20Nellie%20Ohr%20Interview.pdf).

<sup>13</sup> See generally DEP’T OF JUSTICE, OFF. OF SPECIAL COUNSEL, REPORT ON THE INVESTIGATION INTO RUSSIAN INTERFERENCE IN THE 2016 PRESIDENTIAL ELECTION (Mar. 2019), <https://www.justice.gov/storage/report.pdf>.

According to the Justice Department, U.S. Attorney John Durham is “exploring the extent to which...Ukraine, played a role in the counterintelligence investigation” during the 2016 election.<sup>14</sup> However, the Justice Department has yet to inform Congress and the public whether it has begun an investigation into links and coordination between the Ukrainian government and individuals associated with the campaign of Hillary Clinton or the Democratic National Committee. Ukrainian efforts, abetted by a U.S. political party, to interfere in the 2016 election should not be ignored. Such allegations of corruption deserve due scrutiny, and the American people have a right to know when foreign forces attempt to undermine our democratic processes. Accordingly, please provide an answer to two questions from the July 2017 letter related to the Democrats’ collusion with Ukrainian officials:

1. Are you investigating links and coordination between the Ukrainian government and individuals associated with the campaign of Hillary Clinton or the Democratic National Committee? If not, why not?
2. Why hasn’t the Justice Department required Alexandra Chalupa to register as a foreign agent under FARA?

In addition, information has surfaced that raises new questions. A recent report described a note purporting to memorialize a meeting in Kiev between the Ukrainian Acting Prosecutor General, Yuriy Sevruck, and Burisma’s American legal team.<sup>15</sup> Yuriy Sevruck was the temporary replacement for the Prosecutor General that Vice President Biden demanded be fired, Victor Shokin. The note, reportedly written by Sevruck, states that “[t]he purpose of their visit was an apology for dissemination of false information by U.S. representatives and public figures on the activities of the Prosecutor General’s Office of Ukraine [Shokin] in regards to the investigation of criminal activities of Zlochevshy [Oligarch owner of Burisma Holdings].”<sup>16</sup>

The article also reports that Ukrainian prosecutors have unsuccessfully been trying to get information to Justice Department officials since the summer of 2018, possibly including “[h]undreds of pages of never-released memos and documents ... [that] conflict with Biden’s narrative”<sup>17</sup> that his actions in Ukraine had nothing to do with his son’s connections to Burisma. In light of this reporting, has the Justice Department obtained or been offered documents from Ukrainian officials related to these matters? If so, what were those documents?

We respectfully request that you respond to all of these questions no later than October 14, 2019.

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<sup>14</sup> Jeff Mordock, *John Durham investigating Ukraine in Trump-Russia origins probe*, The Washington Times (Sept. 25, 2019), <https://www.washingtontimes.com/news/2019/sep/25/john-durham-probing-ukraine-as-part-of-trump-russi/>

<sup>15</sup> John Solomon, *These once-secret memos cast doubt on Joe Biden’s Ukraine story*, The Hill (Sept. 26, 2019), <https://thehill.com/opinion/campaign/463307-solomon-these-once-secret-memos-cast-doubt-on-joe-bidens-ukraine-story>.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

We anticipate that your written reply and most responsive documents will be unclassified. Please send all unclassified material directly to the Committee. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. Although the Committees comply with all laws and regulations governing the handling of classified information, they are not bound, absent their prior agreement, by any handling restrictions.

Thank you in advance for your prompt attention to these matters. Should you have any questions, please contact Joshua Flynn-Brown of Chairman's Grassley's staff at (202) 224-4515 or Brian Downey or Scott Wittmann of Chairman Johnson's staff at (202) 224-4751.

Sincerely,

Charles E. Grassley  
Chairman  
Senate Finance Committee

Ron Johnson  
Chairman  
Senate Homeland Security  
and Governmental Affairs



# GOP senator says he doesn't remember signing 2016 letter urging 'reform' of Ukraine prosecutor's office

BY ZACK BUDRYK - 10/03/19 06:00 PM EDT

## Just In...

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NATIONAL SECURITY  
— 8M 27S AGO

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HOUSE — 17M 32S AGO

**Chamber to lay off a dozen employees, expand advocacy efforts amid coronavirus pandemic**

BUSINESS & LOBBYING  
— 17M 39S AGO

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Sen. Ron Johnson (R-Wis.) told reporters Thursday he did not recall signing a letter urging reforms in the office of the Ukrainian prosecutor President Trump has alleged former Vice President Joe Biden improperly had ousted, [The Milwaukee Journal-Sentinel](#) reported.

Trump has repeatedly alleged Biden used his office to have Prosecutor General Viktor Shokin fired and prevent him from investigating a gas company whose board included Biden's son Hunter.

CNN on Thursday reported that three Republican senators, including Johnson, Sen. Rob Portman (R-Ohio) and then-Sen. Mark Kirk (R-Ill.) [signed a 2016 letter](#) urging "urgent reforms to the Prosecutor General's office and Judiciary."

"I send out all kinds of oversight letters ... I don't know which 2016 oversight letter you're referring to so I will look at that and then we'll issue a press release, statement, or something — but I don't engage in hypocrisy. I'm looking at getting the truth," Johnson said when asked about the letter.

Johnson did acknowledge the letter in an interview Thursday on WIBA's "The Vicki McKenna Show," saying "The whole world, by the way, including the Ukrainian caucus, which I signed the letter, the whole world felt that

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this that Sholkin wasn't doing a [good] enough job. So we were saying hey you've ... got to rid yourself of corruption."

In the first interview, Johnson also said there was no misconduct in Trump's call on Thursday for China to investigate Biden and his son.

"If there's potential criminal activity, the President of the United States is our chief law enforcement officer. We have proper agreements with countries to investigate potential crimes so I don't think there's anything improper about doing that," he said.

Even as he endorsed investigations by both China and Ukrainian officials, Johnson denied the July 25 call between Trump and Ukrainian President Volodymyr Zelensky at the heart of a whistleblower complaint represented Trump pressuring Zelensky to investigate the Bidens.

"I look at that transcript and I go, it's Trump being Trump," Johnson said, according to the Journal-Sentinel.

In a statement, Andrew Bates, rapid response director for the Biden campaign, told The Hill: "'The United States, the European Union, the I.M.F., and Ukraine's leading reform figures were all pressing for Viktor Shokin to be removed from office because he was one of the biggest obstacles to fighting corruption in the entire country. This was a bipartisan goal in Congress as well."

"It is unfortunate that Senator Johnson seems to have forgotten a time when he put the country's values over his own politics, but perhaps re-reading his well-articulated words whole-heartedly agreeing with Joe Biden's push to move the anti-corruption cause in Ukraine forward will help him on his journey back to intellectual consistency," Bates added.

Updated: 9:35 p.m.

TAGS DONALD TRUMP RON JOHNSON ROB PORTMAN JOE BIDEN MARK KIRK

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# Statement On the Ukrainian-American Strategic Partnership

23 May, 20:11

***Kyiv Security Forum expresses gratitude to the distinguished Ukrainian politicians, diplomats and civic activists for their support of the appeal to the American leaders and society on the importance of protecting the Ukrainian-American strategic partnership.***

## **Statement On the Ukrainian-American Strategic Partnership**

We, the representatives of Ukrainian politics, civil society, and the expert community, are deeply concerned to watch a campaign to involve Ukraine in the political competition in the United States unfold with renewed vigor.

Ukraine greatly appreciates the steadfast support of the American people for our independence, security, and Western course.

Our nations share the common values of national and human freedom.

The combined efforts of the two largest political parties in the United States and all concerned Americans to defend Ukraine are a major historical contribution to the creation of a united Europe and a just world order.

We call on American leaders to distinguish between the position of new Ukraine, which stands for the unity of the West and acts to unite democracies around the world, and those forces that seek to turn the political developments in our country into a toxic narrative to sow discord among our partners.

We oppose the dishonest attempts to use the political controversies in the United States. We do not choose any side, but support each of them in the same way that they together help Ukraine's independence.

We call on America's leaders to distinguish between the position of our nation from the actions of politicians instigated by Moscow.

We condemn hostile provocations aimed at alienating our nations.

We believe in the strategic partnership between Ukraine and the United States.

Let us not allow mutual distrust and doubt to erode this great and lasting relationship.

Let us stand together in times of great trials.

*Signed on May 22-23, 2020*

\* \* \*

**Arseniy Yatsenyuk**, Chairman of the Kyiv Security Forum, Prime Minister of Ukraine (2014-2016).

**Oleksandr Turchynov**, acting President of Ukraine, Speaker of the Verkhovna Rada of Ukraine (2014), National Security Advisor (2014-2019).

**Oksana Zabuzhko**, writer, National Taras Shevchenko Prize laureate.

**Joseph Zissels**, member of the First of December Initiative Group, member of the Strategic Council of the Movement against Capitulation.

**Myroslav Marynovych**, Vice-Rector of the Ukrainian Catholic University, political dissident and prisoner of conscience under the Soviet occupation, member of the First of December Initiative Group.

**Yevhen Zakharov**, Chairperson of the Kharkiv Human Rights Group, Head of the Board of the Ukrainian Helsinki Human Rights Group, member of the First of December Initiative Group.

**Leonid Finberg**, Director of the Research Center of the History and Culture of Eastern European Jewry at the National University of Kyiv-Mohyla Academy, Editor-in-Chief of the “Dukh i Litera” Publishing house.

**Ihor Kozlovsky**, prisoner of the Russian occupation regime in Donbas, President of the Center for Religious Studies, member of the First of December Initiative Group.

**Lilia Hrynevych**, Minister of Education of Ukraine (2016-2019).

**Volodymyr Vasylenko**, Ambassador Extraordinary and Plenipotentiary, Judge of the International Criminal Tribunal for former Yugoslavia (2001-2005), Representative of Ukraine to the UN Human Rights Council (2006-10).

**Volodymyr Ohryzko**, Ambassador Extraordinary and Plenipotentiary, Minister for Foreign Affairs of Ukraine (2007-2009).

**Danylo Lubkivsky**, Deputy Foreign Minister of Ukraine (2014), member of the Board of Open Ukraine Foundation.

**Ivanna Klympush-Tsintsadze**, Chair of the Parliamentary Committee on Ukraine’s integration into the EU, European Solidarity faction, Deputy Prime Minister for European and Euro-Atlantic integration of Ukraine (2016-2019).

**Yuriy Shcherbak**, Ambassador Extraordinary and Plenipotentiary of Ukraine to Israel (1992-1994), the United States (1994-1998), Canada (2000-2003).

**Oleksandr Motsyk**, First Deputy Foreign Minister of Ukraine (2004-2005), Ambassador Extraordinary and Plenipotentiary of Ukraine to the United States (2010-2015).

**Valeriy Chaly**, Ambassador Extraordinary and Plenipotentiary of Ukraine to the United States (2015-2019), Chair of the Board of the Ukrainian Crisis Media Center.

**Hanna Hopko**, civic activist, Chairwoman of the Parliamentary Committee on Foreign Affairs (2014-2019).

**Roman Bezsmetny**, Ambassador Extraordinary and Plenipotentiary, Vice-Prime-Minister of Ukraine (2005).

**Natalia Popovych**, Co-Founder of the Ukrainian Crisis Media Center, Founder of One Philosophy Group.

**Ivan Vasyunyk**, Head of the Supervisory Board of the International Foundation for the Development of the Holodomor Victims’ Memorial, Vice-Prime-Minister of Ukraine (2007-2010).

**Solomiia Bobrovska**, member of the Verkhovna Rada of Ukraine of IX convocation, Holos / Voice faction.

**Ostap Semerak**, Minister of the Cabinet of Ministers of Ukraine (2014), Minister of Ecology of Ukraine (2016-2019), member of the Verkhovna Rada of Ukraine of VI and VIII convocations.

**Iryna Geraschenko**, member of the Verkhovna Rada of Ukraine of IX convocation, Co-Chair of the European Solidarity faction, First Deputy Speaker of the Verkhovna Rada of Ukraine (2016-2019).

**Serhiy Kvit**, Minister of Education of Ukraine (2014-2016), professor at the National University of Kyiv-Mohyla Academy.

**Svitlana Voitsekhivska**, member of the Verkhovna Rada of Ukraine of VIII convocation, member of the Board of Open Ukraine Foundation.

**Maksym Burbak**, Minister of Infrastructure of Ukraine (2014), member of the Verkhovna Rada of Ukraine of VII and VIII convocations.

**Iryna Friz**, member of the Verkhovna Rada of Ukraine of VIII and IX convocations, European Solidarity faction, Minister of Veterans Affairs (2018-2019).

**Mykola Kniazhytskyi**, journalist, member of the Verkhovna Rada of Ukraine of VIII and IX convocations.

**Maria Ionova**, member of the Verkhovna Rada of Ukraine of VIII and IX convocations, European Solidarity faction.

**Mykola Ryabchuk**, Honorary President of the Ukrainian PEN-Club.

**Myroslava Barchuk**, journalist, member of the Ukrainian PEN-Club.

**Vitaliy Portnykov**, journalist, writer.

**Volodymyr Yermolenko**, philosopher, Chief-editor of UkraineWorld Initiative, analytics director at Internews Ukraine.

**Vakhtang Kebuladze**, philosopher, professor at the Kyiv Taras Shevchenko National University.

**Taras Lyuty**, philosopher, professor at the National University of Kyiv-Mohyla Academy.

**Mykhaylo Basarab**, civic activist, Coordinator of the Movement against Capitulation.

**Victoria Ptashnyk**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Viktor Yelensky**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Borys Potapenko**, Head of International Council in Support of Ukraine.

**Serhiy Vysotsky**, journalist, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Andriy Levus**, civic activist, Coordinator of the Movement against Capitulation, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Oleksandr Sochka**, member of the Verkhovna Rada of Ukraine of VI, VII and VIII convocations.

**Mykhaylo Khmil**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Myroslav Hai**, civic activist, Chairman of the Peace and Co Charitable Foundation.

**Yevhen Bystrytsky**, philosopher.

**Kateryna Smagliy**, Director of the International Cooperation Department at the Diplomatic Academy of Ukraine's Foreign Ministry.

**Mykola Horbal**, poet, political prisoner under the Soviet occupation.

**Volodymyr Dubrovsky**, economist.

**Borys Zakharov**, Director of "Human and Right" Charitable Foundation.

**Hennadiy Kurochka**, member of the Board of the Ukrainian Crisis Media Center.

**Oleksiy Panych**, philosopher, member of the Ukrainian PEN-Club.

**Valeriy Pekar**, Lecturer of Kyiv-Mohyla Business School.

**Kostyantyn Sigov**, philosopher, civic activist, Chair of the Center of the European Humanitarian Studies at the National University of the Kyiv-Mohyla Academy.

**Hennadiy Buryak**, Deputy Director of the National Institute of the History of Ukraine.

**Oleksandr Skipalsky**, Lieutenant General, Honorary President of the Veterans Society of the Intelligence Community.

**Anatoliy Podolsky**, Director of the Ukrainian Center of the Holocaust Studies.

**Ukrainian Crisis Media Center.**

## Unified Hochstein Transcript Errata

- HSGAC Majority

Page	Line	Correction
29	18	It should read "can see you" rather than "can't see you"
37	2	It should read "on what date" rather than "what date"
47	13	It should read "Pavlo Klimkin" rather than "Pavlo Klimpkin"
47	14	It should read "Klimkin" rather than "Klimpkin"
47	18	it should read "Klimkin" rather than "Klimpkin"
169	22-25	The sentence makes no sense, may need to review the tapes

- Senate Finance Majority

Page	Line	Correction
6	12	Strike "Senator Grassley's" and replace with "Joshua Flynn-Brown's".
136	11	Strike "That" and replace with "When"
138	4	Strike "intents" and replace with "intent"

- HSGAC Minority

Page	Line	Correction
7	8	Insert "the" before "National"
7	12	Insert "..." after "Biden."
7	13	Insert "Andrii" to "Andriy"
8	3	Change "audiotapes" to "audio tapes"
8	8	Change "Government" to "government,"
8	10	Remove comma after "documents" and add a comma after "videos"
9	3	Change "nonstop. Okay?" to "non-stop, okay?"
69	2	Delete "The first one—" and capitalize the first letter of "if"
69	9	Change "citizen. I am" to "citizen and I'm"
69	10	Change "business. It" to "business, it"
69	12	Change "on" to "of"

69	19	Change “my” to “a”
69	20	Change “years, and” to “years. And”
69	21	Delete “that”
69	25	Replace “made. The” with “made – the”
70	1	Change “special anticorruption prosecutor,” to “Special Anti-Corruption Prosecutor and”
70	2	Capitalize the first letters of “inspector general”
70	5	Change “meeting full” to “meaningful”
70	8	Delete “did you—is it—“
72	15	Change “specific” to “specifically”
73	3	Change “Roger” to “Hunter”
74	2	Add quotation marks around “evidence of wrongdoing or illegal activity”
74	3	Add “Biden” after “President”
77	10	Capitalize the first letter of “director”; insert “the” before “National”
77	11	Add quotation marks before “Russia”
77	13	Change “Biden; for” to “Biden ... For”
77	14	Change “Andrii” to “Andriy”
77	15	Change “corruption” to “corruption –”; change “publicized and” to “publicizing”
77	16	Change “calls to” to “calls – to”
77	17	Add quotation marks after “Party”
77	20	Delete “, quote,”
77	21	Delete “was a—“; add quotation marks around “active Russian agent for over a decade”
81	3	Delete “Roy, can—“
81	25	Capitalize the first letter of “caucus”
88	19	Delete “the” before “November”; Change “21st” to “21, 2019,”
88	20	Change “21st” to “21, 2019,”
89	1	Delete “malign influence,” (i.e. only the first time the words appear)
89	10	Insert a comma after “media”
89	11	Insert a comma after “Biden”
89	12	Add quotation marks around “no evidence of wrongdoing or illegal activity”
92	17-18	Delete “—did the idea to condition aid to Ukraine related to anticorruption”
93	16-17	Delete “your concern—your lack of concern about Hunter Biden’s—“
94	9	Delete “the” (before “Ukraine”)
147	20-21	Delete “I just wanted to—“

148	2	Capitalize the first letters of “prosecutor general’s”
149	11	Add “always” before “negated”; add a quotation mark after “negated”
149	12	Delete the quotation mark after “interest.”
152	5	Add a dash after “Ukrainian”
153	19	Delete “information”
154	8	Delete “civil activists—“
158	5	Change “the” to “a”
158	18	Capitalize the first letter in “election”
158	23	Add a quotation mark before “Stay”
158	25	Add a quotation mark after “office”
159	5-Apr	Change “motive. Is a,” to “motive – is it a”; add quotation marks around “corruption investigation in the United States”; add quotation marks around “designed to culminate prior to election day”
159	19	Add a quotation mark before “a false”
159	20-21	Capitalize the first letters of “presidential election”; add a quotation mark after “election”

- Finance Minority
  - NA
- Counsel

Page	Line	Correction
23	12	Replace “[inaudible]” with “would”.
36	6	Replace “we were friends” with “we were not friends”.
50	18	Replace “[inaudible]” with “I answered”.
52	20	Replace “[inaudible]” with “that”.
54	25	Insert “or if” between “here” and “There’s not...”.
55	10	Replace “weigh” with “waive”.
73	3	Replace “Roger” with “Hunter”.
96	16	“[inaudible]” with “Chairman Johnson took trips”.
106	18	Replace “exigent” with “extant”.
108	5	Replace “[inaudible]” with “alleged”.

UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

- - - - - x

INTERVIEW OF: :

GEORGE P. KENT :

:

- - - - - x

Room SD-342 and via Webex  
Dirksen Senate Office Building  
Washington, D.C.  
Friday, July 24, 2020  
9:49 a.m.

INTERVIEW OF GEORGE P. KENT

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## 1 P R O C E E D I N G S

2 MR. FOLIO: All right. Well good morning, everyone.  
3 This is a transcribed interview of George Kent, being  
4 conducted by the Senate Committee on Homeland Security and  
5 Governmental Affairs and the Senate Committee on Finance.  
6 This interview was requested by Chairman Ron Johnson and  
7 Chairman Charles Grassley, as part of the Committees'  
8 investigation of whether there are any actual or apparent  
9 conflicts of interest or any other wrongdoing with regard to  
10 the Obama administration's Ukraine policy or Burisma  
11 holdings, as well as related matters.

12 On April 30, 2020, Chairmen Grassley and Johnson  
13 requested Mr. Kent's appearance for a voluntary transcribed  
14 interview.

15 Mr. Kent, my name is Joseph Folio. I am the Chief  
16 Counsel for the Homeland Security Committee. I am now going  
17 to introduce additional members of Chairman Johnson's staff  
18 in the room with me, and then I will ask staff for the other  
19 members to introduce themselves.

20 Sitting with me is Scott Wittmann, Lydia Westlake,  
21 Sarah Smerling, and Will Sacripanti. We are joined also  
22 virtually by our colleague, Brian Downey. All those folks  
23 are members of Chairman Johnson's staff.

24 I will now ask Chairman Grassley's staff to jump in.

25 MR. FLYNN-BROWN: Hi, Mr. Kent. My name is Josh Flynn-

1 Brown. I am Deputy Chief Investigative Counsel for Chairman  
2 Grassley. I am also joined here by my colleague, Quinton  
3 Brady.

4 MR. FOLIO: Now I will ask Zack--

5 MR. SCHRAM: Joe, we've lost your audio.

6 MR. FOLIO: Can you hear me now?

7 MR. SCHRAM: Yeah.

8 MR. FOLIO: Zack, do you want to go ahead and introduce  
9 yourself and the rest of the staff?

10 MR. SCHRAM: I am Zack Schram, Chief Counsel for the  
11 Ranking Member staff, Homeland Security Governmental Affairs  
12 Committee. I am joined by Alan Kahn, our Deputy Chief  
13 Counsel, Soumyalatha Dayananda, Senior Counsel, and Roy  
14 Awabdeh, Senior Counsel.

15 Just a word of introduction for us. Mr. Kent, I just  
16 want to make clear we appreciate you being here. This  
17 investigation is not keeping with the nonpartisan traditions  
18 and practices of our committees. As the Ranking Members  
19 have said publicly, we believe this investigation advances  
20 Russian disinformation and election interference efforts.  
21 We should not facilitate foreign interference in our 2020  
22 election.

23 I will note also that we are conducting this interview  
24 remotely, because we are in the midst of a global pandemic  
25 that has created an extraordinary public health crisis in

1 the United States. The Homeland Security and Governmental  
2 Affairs Committee has jurisdiction over pandemic  
3 preparedness and response. Ranking Member Peters believe  
4 this investigation is a misuse of Committee resources that  
5 does not advance the health, safety, or economic security of  
6 Americans consistent with our Committee's mission.

7 Our participation today is not an endorsement of this  
8 investigation. Minority staff have a right and a  
9 responsibility to be here. We will do our best to ensure  
10 that you are treated fairly, that the record is accurate and  
11 complete, and that the national security interest of the  
12 United States is protected.

13 MR. FOLIO: All right, Dan or Dave, would you like to  
14 introduce staff from Ranking Member Wyden's office?

15 MR. GOSHORN: I'm Dan Goshorn. I'm Senior  
16 Investigative Counsel for Senator Wyden on the Finance  
17 Committee minority staff. I am joined today by our Chief  
18 Investigator, Dave Berick, and two additional investigators  
19 from the Finance minority staff, Josh Health and Michael  
20 Osborn-Grosso. Thank you for being here.

21 MR. FOLIO: All right. Thank you. Just a quick word  
22 in response to what Zack Schram read into the record. We  
23 should probably submit prepared statements to make this more  
24 efficient. But just for the record we have addressed all of  
25 the points raised by Zack. Chairman Johnson as [inaudible--

1 audio difficulties] in one of his many hearings on the  
2 pandemic and preparedness for the pandemic, as well as  
3 [inaudible--audio difficulties].

4 Turning back to the interview, I am now going to  
5 explain how the interview will proceed. The Federal Rules  
6 of Civil Procedure do not apply to any of the--

7 MR. HARTMAN: Excuse me for one second. Joe?

8 MR. FOLIO: Yeah.

9 MR. HARTMANN: Is anybody from State on?

10 MR. JOHNSON: Cliff Johnson. Hi. This is Cliff  
11 Johnson from State, and I've also got a colleague, Priya  
12 Bhanu, who I think is listed as an attendee, but ideally  
13 could also be included as a panelist. Thanks.

14 MR. HARTMAN: Thank you.

15 MR. FOLIO: Thanks for the reminder, Barry. And Barry,  
16 I will have a spot for you when you need it to introduce  
17 yourself.

18 MR. SCHRAM: Joe, I am still having trouble hearing  
19 you. I'm sorry.

20 MR. FOLIO: Okay. I'll speak a little louder. Maybe  
21 that's part of the problem?

22 MR. SCHRAM: The distance from the microphone?

23 MR. FOLIO: I'm not sure if it could be mine.

24 MR. HARTMAN: You're going in and out.

25 MR. KENT: Is anyone speaking?

1 MR. FOLIO: No.

2 MR. KENT: Oh.

3 MR. FOLIO: I think mine is as loud as it is able to  
4 go.

5 MR. KENT: Mr. Folio, I don't think the folks can hear  
6 you.

7 [Inaudible--audio difficulties.]

8 MR. KENT: I do.

9 MR. FOLIO: I just asked Will to take a look in the  
10 system and see--can you hear me now, Mr. Kent?

11 MR. KENT: Now it's clear.

12 MR. FOLIO: Great. All right. We'll just walk you  
13 through some of the introductory remarks about this  
14 interview. Again, the Federal Rules of Civil Procedure do  
15 not apply to any of the Committees' investigative activities  
16 including transcribed interviews.

17 Mr. Kent, the way questioning will proceed is that we  
18 will alternate between majority and minority staff, each  
19 taking one-hour turns. The majority staff will begin.  
20 We'll proceed for one hour, and then the minority staff will  
21 have an hour to ask questions as well. And we will rotate  
22 back and forth until there are no more questions.

23 We will also ask you, at the end of each hour, if you  
24 would like to take a break.

25 During the interview we will do our best to limit the

1 number of people who are asking questions during any given  
2 hour. That said, from time to time, individuals may have  
3 follow-up or clarifying questions that may be helpful, so  
4 you may hear from others around the table. We will ask  
5 everyone to take their time to ensure that their camera  
6 activates and that people can hear them and folks aren't  
7 talking over one another.

8 Ms. Irene Gray is the reporter on the line as well.  
9 She is going to treat a verbatim record of what we discuss  
10 today. With that in mind, as I am sure you are familiar,  
11 please respond to questions verbally, because Ms. Gray  
12 cannot properly record nonverbal responses. Do you  
13 understand that?

14 MR. KENT: I understand.

15 MR. FOLIO: We encourage witnesses that appear before  
16 the Committee to freely consult with counsel. Do you have  
17 counsel present with you today?

18 MR. KENT: I do.

19 MR. FOLIO: Would counsel please state their names for  
20 the record?

21 MR. HARTMAN: This is Barry Hartman, K&L Gates.

22 MR. WRIGHT: This is Andy Wright with K&L Gates.

23 MR. FOLIO: Thank you.

24 MR. HARTMAN: Joe, just one thing, quickly. Because of  
25 these audio problems, every time I take my computer off mute

1 we hear terrible echoes. And I was just going to ask you to  
2 please make sure everybody speaks as loudly as possible,  
3 because the audio situation is [inaudible--audio  
4 difficulties.]

5 MR. KENT: When you talk, I will mute. Yeah. Well, if  
6 I mute then I lose the sound feed. Yeah, the feed goes off  
7 when I hit mute.

8 MR. HARTMAN: George tells me that when he mutes the  
9 sound goes off and he can't hear.

10 Let's do our best. I just wanted to raise that.

11 MR. FOLIO: Thank you. We are going to be a well-oiled  
12 machine in about 30 minutes. Just wait.

13 All right, Mr. Kent, we want your answers to our  
14 questions to be the most complete and truthful as possible.  
15 We are going to take our time. If you have any questions  
16 about what we are asking or if you do not understand them we  
17 are happy to clarify. Do you understand?

18 MR. KENT: I understand.

19 MR. FOLIO: This interview is unclassified, so if the  
20 questions call for any information that you know to  
21 implicate classified national security information please  
22 state that for the record, as well as the reason you  
23 understand it to be classified. And once you have  
24 clarified, to the extent possible, please respond with as  
25 much unclassified information as you are able to. And if we

1 need to have a classified session in one form or another  
2 later, we can arrange for that. Do you understand?

3 MR. KENT: I understand.

4 MR. FOLIO: It is the Committee's practice to honor  
5 valid common law privilege claims as an accommodation to a  
6 witness. When those claims are made in good faith and  
7 accompanied by a sufficient explanation so the Committees  
8 can evaluate the claim. When deciding whether to honor a  
9 privilege, the Committee will weigh its need for the  
10 information against any legitimate basis for withholding it.

11 This interview today is occurring without prejudice to  
12 any future discussion of the Committees, and we reserve the  
13 right to request your participation in future interviews or  
14 compel testimony.

15 Mr. Kent, if you need to take a break, other than the  
16 breaks we will offer at the end of each hour, please let us  
17 know.

18 Mr. Kent, you are required to answer questions before  
19 Congress truthfully. Do you understand that?

20 MR. KENT: I understand.

21 MR. FOLIO: This also applies to questions posed by  
22 congressional staff in an interview. Specifically, 18  
23 U.S.C. Section 1001 makes it a crime to make any materially  
24 false, fictitious, or fraudulent statements or  
25 representations in the course of a congressional

1 investigation. This statute applies to your statements in  
2 this interview. Do you understand that?

3 MR. KENT: I understand.

4 MR. FOLIO: Is there any reason that you are unable to  
5 provide us today with truthful answers to our questions?

6 MR. KENT: None whatsoever.

7 MR. FOLIO: Thank you. Finally, we ask that you not  
8 speak about what we discuss in this interview with anyone  
9 else outside of who is in the room today in order to  
10 preserve the integrity of our interview. We also ask that  
11 you don't make any copies or photographs of exhibits that  
12 you will be shown today. Do you understand and agree to  
13 those terms?

14 MR. KENT: I understand.

15 MR. FOLIO: Do you have any questions before we begin?

16 MR. HARTMAN: Joe, one last thing. I understand that  
17 we will get a copy of the transcript and you will provide an  
18 errata sheet, which is particularly important, I think,  
19 given our audio situation.

20 MR. FOLIO: Correct.

21 MR. HARTMAN: George, Mr. Kent, does have an opening  
22 statement he would like to give at the appropriate time.

23 MR. FOLIO: Unless anyone objects I'm happy to let Mr.  
24 Kent provide that statement now. Is that okay with you,  
25 Zack?

1 MR. SCHRAM: Yes. Absolutely, Joe. I would just ask  
2 also, with respect to advance review of the transcript that  
3 the minority be included.

4 MR. FOLIO: Understood.

5 MR. KENT: Good, well again, good morning. My name is  
6 George Kent, and I am Deputy Assistant Secretary of State  
7 for Eastern Europe and the Caucasus. I am appearing here  
8 voluntarily in connection with the State Department's  
9 cooperation with the Committees.

10 As occurred last fall, I appear as a career nonpartisan  
11 professional foreign service officer of more than 28 years'  
12 experience, and a fact witness ready to answer all of your  
13 questions about the events and individuals related to this  
14 inquiry, to the best of my ability and recollection, subject  
15 to the limits place on me by law in this process.

16 Relevant to some of the topics to be discussed today, I  
17 was previously the Senior Anticorruption Coordinator for the  
18 State Department's European Bureau from 2014 to 2015, and  
19 the Deputy Chief of Mission of our Embassy in Kiev, Ukraine  
20 from 2015 to 2018.

21 I would like to begin with some opening comments on  
22 those issues that bring me before you today, centered around  
23 U.S. foreign policy towards Ukraine and the issues raised in  
24 the Committee letter of April 30, 2020.

25 U.S. efforts to counter corruption in Ukraine focus on

1 building institutional capacity so that the Ukrainian  
2 government has the ability to go after corruption and  
3 effectively investigate, prosecute, and judge alleged  
4 criminal activities using appropriate institutional  
5 mechanisms, that is, to create and follow the rule of law.  
6 My exposure to the pervasive and longstanding problem of  
7 corruption in Ukraine included a situation involving the NAG  
8 company, Burisma. The primary concern of the U.S.  
9 Government since 2014 was Burisma's owner, Mykola  
10 Zlochevsky, whose frozen assets abroad we had attempt to  
11 recover on Ukraine's behalf.

12 In early 2015, I raised questions with the Deputy  
13 Prosecutor General about why the investigation of Mr.  
14 Zlochevsky had been terminated, based on our belief that  
15 prosecutors had accepted bribes to close the case. Later I  
16 became aware that Hunter Biden was on the board of Burisma.

17 Soon after that, in a briefing call with the National  
18 Security staff in the Office of the Vice President on other  
19 matters, in February 2015, I raised my concern that Hunter  
20 Biden's status as a board member could create the perception  
21 of a conflict of interest. Let me be clear, however, I did  
22 not witness any effort by any U.S. official to shield  
23 Burisma from scrutiny. In fact, I, and other U.S.  
24 officials, consistently advocated reconstituting a scuttled  
25 investigation of Zlochevsky, Burisma's founder, as well as

1 holding the corrupt prosecutors who had closed the case to  
2 account.

3       There have been recent efforts by Ukrainians to share  
4 information and accusations about U.S. persons, programs,  
5 and policies. We all need to be very careful in considering  
6 those sources and their motivations. I, and many others,  
7 believe some of these individuals are corrupt, some have a  
8 track record of lying, and some are known to be advancing  
9 Russia's agenda.

10       For the past six years since Ukraine's 2014 Revolution  
11 of Dignity, there has been broad bipartisan support in both  
12 Houses of Congress to the tune of more than \$4.3 billion of  
13 appropriated assistance to support Ukraine as a free and  
14 vibrant U.S. partner. That support in Congress has been  
15 joined by U.S. officials in the Executive branch over two  
16 administrations, one Democrat and one Republican, to support  
17 Ukraine in its fight for the cause of freedom. This support  
18 has also included its rebirth as a country free from Russian  
19 dominion and the warped legacy of Soviet institutions and  
20 post-Soviet behavior.

21       The battle against corruption and for the rule of law  
22 has been waged nearly as fiercely as the fighting in the  
23 trenches of Eastern Ukraine and is equally important if  
24 Ukraine is to prosper. The United States has actively  
25 support both efforts.

1           The United States has clear national interest at stake  
2 in Ukraine, and the way we have defined our national  
3 interests broadly in Europe for the past 75 years. U.S.  
4 leadership furthered our sided policies in postwar Europe  
5 like the Marshall Plan, the creation of NATO, the greatest  
6 alliance in history, and the creation of a rules-based  
7 international order. Europe's security and prosperity  
8 contributed to our security and prosperity. In the same  
9 way, Ukraine's security and prosperity contributes to our  
10 security and prosperity.

11           Support of Ukraine's success also fits squarely into  
12 our strategy for Central and Eastern Europe since the fall  
13 of the Berlin Wall 31 years ago. A Europe truly whole,  
14 free, and at peace, our strategic aim for the entirety of my  
15 foreign service career, is not possible without a Ukraine  
16 whole, free, and at peace, including Crimea and Donbass,  
17 Ukrainian territories currently occupied by Russia.

18           The current administration's national security strategy  
19 focuses on great power competition with rivals, such as  
20 Russia and China, and the need to compete for positive  
21 influence. This applies directly to our approach in  
22 Ukraine. Ukraine has been on the front lines not just of  
23 Russia's conventional war in eastern Ukraine since 2014, and  
24 its broader campaign of malign influence, but of the greater  
25 geopolitical challenges now facing the United States.

1           Looking back specifically as our programs and policies  
2 from 2014 to 2016, and the specific questions posed in  
3 Chairman Johnson's and Grassley's April 30th letter to  
4 Secretary Pompeo, inviting me to appear for this transcribed  
5 interview, I would highlight the centrality of the  
6 anticorruption efforts that Ukrainian citizens demanded  
7 after the 2014 Revolution of Dignity, and 27 years of grand  
8 theft and nonaccountability for Ukrainians in office and  
9 with access to state resources.

10           One of the first requests by the new Ukrainian  
11 government in the spring of 2014, was to recover some of the  
12 billions of stolen assets that had been laundered abroad by  
13 members of the former Yanukovich regime, many of whom fled  
14 to Moscow in 2014. In response, the U.S. Attorney General  
15 worked with his Ukraine counterpart and the World Bank to  
16 launch a stolen assets recovery, or StAR, initiative, in  
17 London in May 2014.

18           The first asset recovery case worked trilaterally by  
19 law enforcement officials from Ukraine, the United Kingdom,  
20 and the United States involved \$23 million frozen in the  
21 United Kingdom at the request of the UK Serious Fraud  
22 Office, or SFO, assets of former Minister of Ecology Mykola  
23 Zlochevsky. In his capacity as Minister of Ecology from  
24 2010 to 2012, Zlochevsky ordered multiple licenses for  
25 natural gas exploration to a number of shell companies

1 consolidated in Burisma holdings that he owned. Burisma is  
2 currently the largest private producer of gas in Ukraine.  
3 The gas sector has been one of, if not the primary source of  
4 corruption for Ukraine's political elite, dating from  
5 independence in the 1990s.

6 After six months of hard work by the FBI, the British  
7 SFO, and Ukrainian law enforcement, the Ukrainian Prosecutor  
8 General's Office unexpectedly closed the money-laundering  
9 case against Zlochevsky in December 2014. Loches's lawyers  
10 presented the letter to a UK judge, who ordered the funds  
11 unfrozen before the SFO and FBI could react.

12 On February 3, 2015, while I was in Ukraine as Acting  
13 Deputy Chief of Mission, I confronted the First Deputy  
14 Prosecutor General, Anatoliy Danylenko, demanding to know  
15 who had paid the bribe and how much it was. I also demanded  
16 that the case against Zlochevsky be resumed.

17 Throughout 2015 and 2016, U.S. officials, particularly  
18 those at the U.S. Embassy in Kiev, consistently pressed  
19 Ukrainian officials to hold Zlochevsky to account and made  
20 clear our negative view about Burisma.

21 There were other examples of the U.S. Government  
22 raising questions about Zlochevsky and Burisma. Then  
23 Ambassador Geoff Pyatt delivered a blistering public speech  
24 in Odessa in September of 2015, when anticorruption efforts  
25 seemed to lag, specifically citing the lack of action

1 against Zlochevsky.

2       In addition, in August of 2016, I learned that an  
3 implementer of a USAID municipal energy foreign project had  
4 signed a public-private partnership memorandum of  
5 understanding with Loches's company, Burisma, to promote  
6 clean energy through the awarding of prizes. I forced  
7 suspension of the agreement, given Zlochevsky and Burisma's  
8 reputation and the moral hazard of association.

9       Shortly after my February 2015 meeting at the  
10 Prosecutor General's headquarters about the closure of the  
11 case against Zlochevsky, I became aware that Hunter Biden  
12 had joined the board of Burisma in 2014. As I testified in  
13 the House soon after that, in a briefing call with the  
14 National Security staff in the Office of the Vice President  
15 on other issues, I raised my concern about Hunter Biden's  
16 status as a board member of Burisma. Burisma's owner was a  
17 poster child for corrupt behavior, and Hunter Biden's  
18 position on the board could create the perception of a  
19 conflict of interest at the time when Vice President Biden  
20 was leading the policy charge, pushing President Poroshenko  
21 and Prime Minister Yatsenyuk to take more decisive  
22 anticorruption action.

23       As I testified last fall, however, at no time did I  
24 witness any efforts by any U.S. official to shield Burisma  
25 from scrutiny, and in fact, quite the opposite. I, and

1 other U.S. officials, consistently advocated reconstituting  
2 the scuttled investigation of Zlochevsky, Burisma's founder,  
3 as well as holding the corrupt prosecutors who had closed  
4 the case against him to account. Ambassador Pyatt, the  
5 Embassy's economic section, and I shared our concern  
6 regarding Zlochevsky and Burisma's reputation and less-than-  
7 stellar business practices widely, including with U.S.  
8 officials in Washington, think tankers who follow Ukraine,  
9 other American officials at the Embassy who did not have the  
10 background awareness that we did, and publicly.

11 I am not aware of any occasion in which then Vice  
12 President Biden raised Burisma with Ukrainian officials. I  
13 am not aware of any wrongdoing by Hunter Biden or the other  
14 international members of the Burisma board, which included  
15 the former President of Poland, Aleksander Kwasniewski, and  
16 Cofer Black, a long-time CIA official and one-time  
17 counterterrorism coordination at the State Department during  
18 the George W. Bush administration.

19 During the first week of September 2016, I met with  
20 then Prosecutor General Yuriy Lutsenko, at his request.  
21 Lutsenko wished to discuss his desire to travel to the  
22 United States in late September 2016, and have high-level  
23 meetings both with U.S. Government officials and with  
24 persons working for the Clinton campaign. He said that the  
25 trip had been proposed to him by Blue Star Strategies,

1 working with a former Department of Justice official then at  
2 the law firm Cravath. I raised several concerns about the  
3 proposed trip, including timing and interlocuters. I also  
4 reiterated our view that his office should be prosecuting  
5 Zlochevsky. Lutsenko changed his mind and delayed travel  
6 plans until after the U.S. election.

7       On September 6, I took a call from someone I had never  
8 talked to previously, Sally Painter, Chief Operating Officer  
9 of Blue Star Strategies, regarding Lutsenko's proposed trip  
10 to the United States. Ms. Painter accused me of ruining  
11 Blue Star's business model and of damaging relations with  
12 Lutsenko. I corrected her mischaracterization of my advice  
13 to Lutsenko. I memorialized that communication and shared  
14 it with Ambassador Yovanovitch and the State Department.

15       U.S. efforts to counter corruption in Ukraine have  
16 focused on building institutional capacity so that the  
17 Ukrainian government has the ability to go after corruption  
18 and effectively investigate, prosecute, and judge alleged  
19 criminal activities using appropriate institutional  
20 mechanisms, that is, to create and follow the rule of law.

21       As I testified last fall, at the heart of the mandate  
22 for change in Ukraine's Revolution of Dignity was a thirst  
23 for justice, because there could not be dignity without  
24 justice. Without a reformed judicial sector that delivers  
25 justice with integrity for all, Ukrainian society will

1 remain unsettled. Foreign investors, including U.S.  
2 companies, will not bring the investment needed to ensure  
3 Ukraine's long-term prosperity.

4 Reform of the prosecutorial service, therefore, is and  
5 remains a key to Ukraine's escape from its Soviet past,  
6 since the General Prosecutor's Office, along with the  
7 security services known by various names over the decades,  
8 but most infamously as the KGB, were a key instrument of  
9 state oppression against its citizens. Post-independence,  
10 the prosecutorial system became more of a protection racket  
11 and a self-enrichment mechanism. This is why the principal  
12 promotion of the rule of law and institutional integrity has  
13 been so necessary to our strategy for a successful Ukraine.

14 President Poroshenko knew Ukraine needed a reformed  
15 General Prosecutor's Office. He dismissed his first general  
16 prosecutor, Yarema, whose team had failed to bring a single  
17 prosecution over a seven-month period, and which allegedly  
18 took a bribe from Zlochevsky to close the case against him  
19 and collapse our effort to recover the \$23 million frozen in  
20 the United Kingdom.

21 In February 2015, Poroshenko appointed, in his place, a  
22 long-time friend and former Deputy Prosecutor General,  
23 Viktor Shokin, and asked us to help Shokin and his team  
24 reform the General Prosecutor's Office, in the same way we  
25 had launched, successfully, police reform with the patrol

1 police. As a result, we concentrated staff and resources  
2 into this effort, focusing on a new Internal Affairs Unit to  
3 investigate and take down corrupt prosecutors.

4 Unfortunately, Shokin scuttled what was to be the  
5 proof-of-concept test case in the summer of 2015. The  
6 Internal Affairs Unit arrested two prosecutors for extortion  
7 and bribe-taking in what became known as the Diamond  
8 Prosecutor Affair.

9 Rather than back the U.S.-supported anticorruption  
10 investigators, however, Shokin undermined their efforts and  
11 then destroyed the careers of everyone associated with the  
12 case. Shokin demanded that everyone, even those in agencies  
13 not under his prosecutorial purview, be dismissed. It was  
14 our view that Shokin took these actions out of loyalty to  
15 the prosecutor at the center of the scandal, who was his  
16 former driver. President Poroshenko acquiesced.

17 The housecleaning shocked Ukrainian society.  
18 Ukrainians we out into the streets. The calls for Shokin's  
19 dismissal did not start with the U.S. Government. Rather,  
20 they started in Ukrainian society, outraged at Shokin's  
21 misconduct, and disappointed by Poroshenko's protection of a  
22 prosecutor protecting corrupt friends and persecuting honest  
23 anticorruption officials. By protecting Shokin for months,  
24 in the face of subsequent popular discontent, President  
25 Poroshenko suffered a steep drop in his levels of popular

1 support, from 55 percent initially to the low 20 percents,  
2 never to recover.

3       For our part, the United States had a fiduciary  
4 responsibility to the American taxpayer to account for our  
5 resources wisely. The corrupt prosecutors under Yarema had  
6 wasted our money and effort in killing the case against  
7 Zlochevsky in December 2014, and we did not forget. Shokin  
8 had wasted our money and effort in undermining the wider  
9 prosecution project of prosecutorial reform, by declaring  
10 war on all of those associated with the Diamond Prosecutor  
11 case. We again took a stand on principle, and in defense of  
12 anticorruption policies and programs that Ukraine needed to  
13 succeed. If Ukraine were to succeed, Shokin had to go.

14       We joined the calls from Ukrainian society and then its  
15 Parliament for Shokin's dismissal, not just rhetorically but  
16 by using the leverage we had given, we had, given the  
17 resources we brought to bear to support Ukraine.

18       The roiling controversy over Shokin came to a head in  
19 late 2015. At that time, we were discussing conditionality  
20 for the third of three \$1 billion sovereign loan guarantees  
21 that we had extended to Ukraine--2014, 2015, and then 2016--  
22 to allow Ukraine to borrow in the market and ensure  
23 financial liquidity and stability.

24       There are, and always have been conditions placed on  
25 sovereign loan guarantees for Ukraine. Conditions have

1 included anticorruption reforms as well as meeting larger  
2 macroeconomic stability goals and social safety nets. The  
3 International Monetary Fund does the same with its much  
4 larger program of loans. Congress and the Executive branch  
5 work together to put conditionality on some security  
6 assistance in the Ukraine Security Assistance Initiative, or  
7 USIAI, in the defense budget.

8       As I testified last fall, I cannot pinpoint who, in the  
9 U.S. Government, first proposed adding Shokin's dismissal as  
10 a condition for the third and final sovereign loan  
11 guarantee, but I believe the recommendation came from the  
12 U.S. Embassy in Kiev. Shokin's removal was discussed in the  
13 interagency process in Washington, and ultimately conveyed  
14 by Vice President Biden to President Poroshenko. Ukraine's  
15 parliament the Verkhovna Rada, ultimately voted to dismiss  
16 Shokin as Prosecutor General on March 29, 2016.

17       Since Shokin's dismissal, a number of Ukrainians have  
18 participated in a disinformation campaign against U.S.  
19 persons, policies, and programs that might distort the  
20 Committees' consideration of the topics under inquiry. I am  
21 also concerned that some of their activities could be  
22 exploited to advance a Russian agenda.

23       As I testified in the House, in January 2019, I was  
24 involved in discussions relating to a denial of visa for  
25 Shokin, who sought to come to the United States to share his

1 accusations against U.S. officials and programs. His U.S.  
2 visa had expired, however, and the U.S. Embassy declined to  
3 issue another visa, given his record of corruption. The  
4 State Department backed the Embassy in January 2019, when  
5 Rudy Giuliani called the State Department and the White  
6 House, seeking a visa for Shokin.

7 Later in 2019, Shokin also swore a false affidavit in  
8 support of a corrupt Russian-affiliated gas oligarch, Dmytro  
9 Firtash, in which Shokin misrepresented the basis for his  
10 own removal from office.

11 Another Ukrainian, Andreii Derkach, has also been  
12 advancing false allegations. Derkach is a member of the  
13 Ukrainian Parliament who graduated from the KGB Academy in  
14 Russia after the fall of the Soviet Union, and has been  
15 known throughout his career to promote Moscow's interests in  
16 Ukraine. Derkach claimed that there were billions of  
17 dollars in unaccounted-for assistance from the United  
18 States, and started attacking U.S. anticorruption programs,  
19 implementation organizations, and U.S. Government officials  
20 by name. Media outlets and bots controlled by Russian or  
21 pro-Russian Ukrainians had been amplifying his messages in  
22 Ukrainian, Russian, and English.

23 I am concerned that these unsubstantiated allegations  
24 have also been amplified by some Americans. For example, in  
25 a July 10th YouTube video, Rudy Giuliani broadcast a litany

1 of Derkach's allegations about the alleged misuse or  
2 nonaccountability of U.S. assistance. He added those to the  
3 bogus claims by former Prosecutor General Lutsenko about  
4 U.S. prosecutorial assistance that were used in the 2019  
5 campaign against then U.S. Ambassador Yovanovitch.

6 I raise these concluding issues out of respect for the  
7 Committees' obligation to obtain reliable and credible  
8 information necessary for sound and informed public policy  
9 decision-making and to defend our democratic institutions.

10 Regarding my interview, I will do my best to answer all  
11 of your questions today, but please note that these  
12 questions will involve issues, conversations, and documents  
13 that spanned a number of years. I may be limited by two  
14 additional considerations. As Mr. Folio mentioned, first,  
15 if I am asked a question today that I may believe implicates  
16 classified information I will respectfully decline to answer  
17 in this unclassified form. And second, consistent with my  
18 House testimony, I am not prepared to discuss the  
19 intelligence community.

20 And with that I stand ready to answer your questions.

21 MR. FOLIO: Mr. Kent, thank you for the opening  
22 statement. For the minority's benefit I will start the  
23 clock, and the majority will begin it's one-hour  
24 questioning.

25 Mr. Kent, I just want to begin by emphasizing what you

1 said at the end of your opening statement, and what Chairman  
2 Johnson has repeated several times, that the goal of this  
3 inquiry, although other people are very quick to  
4 characterize it, is to understand the facts and nothing  
5 more, to understand what happened and did not happen, to  
6 understand if there was any wrongdoing, or if there was not,  
7 so people can get answers and we can move forward, and that  
8 is precisely why we have asked for records from, among other  
9 places, the State Department, the National Archives, and why  
10 we were hoping to speak with current and former U.S.  
11 administration officials like yourself.

12       So we very much thank you for being here today. You  
13 have what we believe to be invaluable insight on these  
14 issues and how they unfolded over the years.

15       One of the other things I'll just note for the record,  
16 you know, part of the reason why we're here is because these  
17 issues fall squarely within the jurisdiction of the Homeland  
18 Security and Governmental Affairs Committee. People often  
19 show off after they hear "homeland security," but the  
20 governmental affairs part is important.

21       Senate Resolution 70 talks about what this Committee's  
22 jurisdiction is, and if we could just quote from it briefly,  
23 the jurisdiction includes, quote, "The Committee is  
24 authorized to study or investigate the efficiency and  
25 economy of operations of all branches of the government,

1 including the possible existence of fraud, corruption, or  
2 unethical practices and conflicts of interest," and that's  
3 precisely what brings us here today.

4 I noticed your prior statement in which you repeated  
5 today that there cannot be dignity without justice, and you  
6 also touched on but you've mentioned previously the  
7 importance of having a principal promotion of the rule of  
8 law and why it's important to institutional integrity and  
9 necessary to the United States strategy of having a  
10 successful Ukraine. And I think that is what our inquiry is  
11 getting at. We do not believe that conflicts of interest  
12 issues are black and white. That is why the law focuses on  
13 appearances of conflicts of interest, to understand and try  
14 and prevent conflicts that could undermine, even subtly, the  
15 policy decisions that are so important to the United States  
16 and its foreign partners, like Ukraine.

17 Mr. Kent, so I'm assuming in the course of your work on  
18 Ukraine, which is quite extensive, that you've met Chairman  
19 Johnson?

20 MR. KENT: I have.

21 MR. FOLIO: In what context have you met Chairman  
22 Johnson?

23 MR. KENT: To the best of my recollection, I was at the  
24 Embassy on at least one of his visits to Ukraine, and just--  
25 and you probably have better details about when he was in

1 Ukraine. I was there from starting January 2015 through  
2 August of 2018, with some breaks. And then I had a very  
3 chance encounter walking of the National Security Council  
4 with our Ambassador to Moldova, Dereck Hogan, and we just  
5 stopped and shook his hand. But I think substantively, the  
6 point of contact would have been during one of his visits,  
7 presuming he visited between 2015 and 2018.

8 MR. FOLIO: Yeah, I think that's right, and, of course,  
9 we do have that pretty detailed information. I think he  
10 made seven trips to Ukraine since April of 2011, and in, I  
11 think, the time period you identified he made three trips.

12 Of course, assuming you're aware that he is the  
13 Chairman of the Senate Foreign Relations Subcommittee on  
14 Europe and Regional Security Cooperation?

15 MR. KENT: Correct.

16 MR. FOLIO: And are you aware that in that capacity he  
17 has held several hearings on Ukraine, Russia, and Russia's  
18 disinformation efforts to undermine Ukraine and U.S. policy  
19 towards Ukraine?

20 MR. KENT: Yes.

21 MR. FOLIO: Are you aware--I'm assuming you're  
22 certainly aware of the policy issue, but just generally the  
23 policy issue and Chairman Johnson's support during your time  
24 working in Ukraine, for providing lethal defensive aid to  
25 Ukraine?

1 MR. KENT: I am.

2 MR. FOLIO: Could you briefly describe the debate at  
3 the time that you were there and the decision not to provide  
4 it, and when that changed?

5 MR. KENT: As I recall, the question at issue was  
6 whether provision of lethal assistance in the 2015-2016  
7 period would be an escalatory step or a step of deterrence  
8 from more Russian action, and that was the basis of the  
9 policy debate.

10 MR. FOLIO: And at that time, was lethal defensive aid  
11 provided?

12 MR. KENT: At the time, U.S. assistance was not used to  
13 provide lethal aid. The State Department did issue export  
14 licenses for sniper rifles that were procured commercially.  
15 So it would be--it's actually correct to assert that U.S.  
16 assistance, security assistance, was not used to provide  
17 lethal assistance, but it would be accurate also to say that  
18 the State Department licensed the commercial sale of lethal  
19 equipment.

20 MR. FOLIO: And did that policy change over time?

21 MR. KENT: That policy changed in late 2017, after a  
22 policy review by the new administration, current  
23 administration.

24 MR. FOLIO: And that policy change allowed for the  
25 provision of lethal defensive weaponry?

1 MR. KENT: That policy change allowed for us to use  
2 U.S. security assistance to provide lethal defensive  
3 equipment. Correct.

4 MR. FOLIO: And with regard to Members of Congress  
5 visiting Ukraine during this time, are you aware of certain  
6 Members of Congress being blacklisted by Russia for their  
7 trips to and work with Ukraine?

8 MR. KENT: I am aware that there was at least one trip  
9 when Russia declined to issue visas to Members of Congress,  
10 yes.

11 MR. FOLIO: Are you aware that in 2019, that list was  
12 expanded to include both Chairman Johnson and Senator  
13 Murphy?

14 MR. KENT: I do recall reading that, yes.

15 MR. FOLIO: So I guess rounding out our conversation on  
16 U.S.-Ukraine policy, in your opening statement you addressed  
17 the time period that we're focused on, 2014 to 2016, there  
18 were three rounds of U.S. loan guarantees. Can you explain  
19 what role U.S. loan guarantees played in U.S.-Ukraine policy  
20 and in Ukraine policy, in general, so how they used the  
21 money?

22 MR. KENT: The former Ukrainian government under then  
23 President Yanukovich looted the treasury. They left not  
24 only the foreign reserves almost at zero, not able to cover  
25 more than a couple of weeks of imports but also the treasury

1 that would be used to pay for salaries and government  
2 activities. And so Ukraine was perilously on the edge of  
3 default at the same time they were being invaded by the  
4 Russian army. And their ability to go into the market and  
5 secure financing was limited, given the state of finances.

6 So what is known as concessionary loans--that would  
7 include the IMF package, that would include U.S. sovereign  
8 loan guarantees--were critical to get Ukraine through those  
9 early years until they could--the new government could  
10 restore macroeconomic stability as well as prudent financial  
11 management.

12 So that is why, in those first three years, 2014, 2015,  
13 and 2016, the U.S. administration took the step to offer  
14 sovereign loan guarantees to allow them to borrow in the  
15 market at concessionary rates.

16 After that point, they recovered their own--because of  
17 their own good macroeconomic policies, enough that they did  
18 not need our concessionary support, loan support, and they  
19 could then borrow in the markets directly.

20 MR. FOLIO: Was that after the loan guarantee in 2016,  
21 that occurred?

22 MR. KENT: Right. So that--essentially, the new  
23 government came in in 2014. In addition to the government  
24 there was wholesale changeover in the leadership of the  
25 National Bank, and so institutions started working the way

1 they should. Central Bank, National Bank cleaned up the  
2 financial banking sector, which was in awful shape. They  
3 targeted inflation, they targeted floating exchange rate,  
4 and the Finance Ministry also had excellent managers of  
5 finances. So the combination of a good stewardship of key  
6 institutions allowed Ukraine then to move forward without  
7 seeking additional concessionary loan support from the U.S.  
8 Government.

9 MR. FOLIO: In your opening statement you mentioned  
10 that as part of providing these loan guarantees the U.S.  
11 would place conditions on--that they wanted to assure  
12 themselves that we--we wanted to assure ourselves that it  
13 was filled prior to giving the guarantee. Can you describe  
14 the general thought behind the conditions and then provide  
15 some examples or descriptions of the conditions that the  
16 U.S. Government would evaluate before deciding to provide  
17 those guarantees?

18 MR. KENT: The conditions to explain a little bit of  
19 the mechanisms, at the time USAID had the lead on drafting  
20 the language for the signing of loan guarantees. I believe  
21 that function has now shifted to Development and Finance  
22 Corporation that was stood up last year. But that's why  
23 there was an interagency process between, you know, various  
24 parts of the U.S. Government, the State Department having a  
25 strong lead voice, but ultimately very closely working hand-

1 in-glove with USAID, because they were the ones, at the  
2 time, in those years, that actually wrote and signed the  
3 document.

4       We chose a series of issues that we felt were important  
5 for Ukraine, and as I mentioned before, there was a--because  
6 anticorruption issues were at the heart of what Ukraine  
7 needed to address for them to be successful institutionally  
8 and economically, there were a number of anticorruption  
9 provisions that included issues like better governance at  
10 the state-owned gas company, Naftogaz, which previously was  
11 used as a corrupt mechanism. Up to 8 percent of the GDP was  
12 lost through mismanagement of that one state-owned  
13 enterprise. So cleaning that up was essentially a bonus of  
14 8 percent of the entire economy.

15       One of--I can't remember which of the three years--one  
16 of the requirements was to establish an investigate an OIG,  
17 internal affairs investigator general at the Prosecutor  
18 General's Office. That got into our disagreements, to put  
19 it mildly, with Mr. Shokin. Some of them had to do with  
20 macroeconomic competency and targeting, and others had to do  
21 with social safety nets, because there was this massive  
22 devaluation of the Ukrainian currency, the hryvnia, and that  
23 hit the most vulnerable populations extremely hard, because  
24 the devaluation went from essentially 8 hryvnas to the  
25 dollar to over 30 to the dollar, so a four-times

1 devaluation. So their purchasing power shrunk greatly for  
2 costs of items that were imported, and so there were real  
3 concerns about the average Ukrainian.

4       So I would say social safety net issues, macroeconomic,  
5 stewardship issues, policy issues, and anticorruption  
6 measures including specific benchmarks for certain  
7 institutions were the types of conditions in order to extend  
8 the sovereign loan guarantee. And if you had--I know you--  
9 I've read and heard that you've accessed or made requests  
10 for archives, those interagency meetings are generally  
11 memorialized with a statement of conclusions. I do not have  
12 those before me. I don't have access to them at this point,  
13 and so I can't tell you exactly which specific conditions  
14 were in each of those three years. But those are the three  
15 baskets, or four baskets of issues, and the Prosecutor  
16 General's inspector general unit I can tell you was a  
17 specific issue for one of the loan guarantees.

18       MR. FOLIO: And when you're comparing those three or  
19 four baskets, how do they compare or stack up against each  
20 other?

21       MR. KENT: Well, it wasn't--I mean, it was up to us to  
22 set our priorities. So it was--we chose elements of each of  
23 those general areas. So it was not either/or. It was, you  
24 know, I would say--and again, I don't want to characterize  
25 the specifics, but my guess would be roughly half a dozen

1 specific benchmarks for each of the sovereign loan  
2 guarantees.

3 MR. FOLIO: And now when you say you were "setting up"  
4 what the conditions were, can you tell us which agencies had  
5 input in identifying, just establishing the conditions that  
6 would be evaluated for loan guarantees, how that was  
7 resolved interagency?

8 MR. KENT: I would say, in general, the key, lead  
9 agency, there was discussion mainly between the State  
10 Department, USAID, and the U.S. Embassy, since the Embassy  
11 had the repository of knowledge of what was most important  
12 in real time, and events were changing quite rapidly in  
13 Ukraine at this point. The NSC has a statutory  
14 responsibility for coordinating policy, and so certainly  
15 when we would have been discussing these issues in the  
16 interagency process, the NSC would have also had a voice.

17 But I would say, in general, USAID and State Department  
18 and the Embassy had the most back-and-forth conversations  
19 about this.

20 MR. FOLIO: And so I'm going to talk a little bit about  
21 how the interagency work with the NSC, there were a variety  
22 of public comments, and we can introduce a document for the  
23 record, which I guess we will mark as Exhibit 1, a news  
24 article, and it's entitled--Will, will you pull that up?--  
25 it's a news article from April 2014, which we're showing

1 simply for the first sentence, which identifies, in April  
2 2014, that Vice President Joe Biden had become the public  
3 face of the administration's handling of Ukraine and working  
4 to reassure Kiev and try to talk tough with Russia.

5 [Kent Exhibit No. 1 was marked  
6 for identification.]

7 MR. FOLIO: Mr. Kent, we're happy to let you read the  
8 whole news article if that would be helpful. It's only two  
9 pages. But we just wanted to talk about high-level as to  
10 the interagency and Vice President Biden's role. Let us  
11 know what you need to do to answer the questions.

12 MR. HARTMAN: Joe, this is Barry. Just very quickly,  
13 as you know we saw documents from the State Department and  
14 we were given more documents last night by, I forget which  
15 it was. And this is not a document he's seen before. You  
16 know, Mr. Kent wants to answer and we want to be as helpful  
17 as we can, and he'll read it. But, you know, it's a very  
18 difficult situation to throw things at him and then ask him  
19 questions about news articles. He'll read it but we're just  
20 concerned about it. That's all.

21 MR. FOLIO: Understood, and again, the sole purpose for  
22 which we are presenting this is just as an example, at least  
23 the public perception of Vice President Biden's role in  
24 being the "face" of the policy. So this is not something we  
25 are diving in depth into.

1 MR. HARTMAN: I understand. The other problem is, of  
2 course, when I look at it I can't scroll down to read the  
3 rest of the article. How do we do that?

4 MR. FOLIO: Sorry. I should have flagged this. It's  
5 not the most smooth, but if you just ask us to scroll down  
6 we can do that for you.

7 MR. KENT: Okay. Well, if you're asking me just to  
8 assess the first sentence, then I guess I don't need to read  
9 the two pages. But, you know, what's your question again?

10 MR. FOLIO: My question is simply you said that the  
11 agencies most focused on understanding, developing,  
12 determining whether the conditions were met were State,  
13 USAID, and the Embassy, and then you said there was some  
14 coordination with the National Security Council. So I guess  
15 I want to understand, my first question is, was the  
16 interagency process to establish these conditions and  
17 determine whether they were met run out of the National  
18 Security Council?

19 MR. KENT: Well, that's a--oh, I would like to point  
20 out that your questions were not coterminous. We were  
21 talking about a sovereign loan guarantee process, and then  
22 you're asking me to react to a sentence which says, "Vice  
23 President Joe Biden had become the public face of the  
24 administration's handling Ukraine, working to reassure Kiev  
25 and to talk tough with Russia."

1 I would say yes, he was the public face because he  
2 visited six times, but we were talking about a working-level  
3 interagency process.

4 MR. FOLIO: Right. No, thank you. We just want to  
5 understand the process.

6 MR. GOSHORN: Joe, sorry to interrupt. Joe, before you  
7 move away, it sounds like you're about to move away from  
8 this document. Did you identify what this is from? I  
9 haven't seen it either. Where was this published?

10 MR. FOLIO: It's an article in the Washington Examiner.

11 MR. GOSHORN: Okay. Thank you.

12 MR. FOLIO: So, Mr. Kent, I want to understand. So as  
13 far as--what types of issues would make it to the  
14 interagency? Was it the establishment of the conditions  
15 because it crossed agencies? Was it determination of  
16 whether conditions had been met? Or was it only if there  
17 were disagreements?

18 MR. KENT: I would say two things. First of all, I'm  
19 on the record in my testimony last fall saying in the last  
20 year of the administration President Obama had delegated  
21 lead authority to try to resolve two issues, or take the  
22 lead on two issues, Ukraine and Cyprus, to Vice President  
23 Biden. So again, I think there should be no question that  
24 Vice President Biden was the public face of our handling of  
25 Ukraine policy.

1           In terms of the interagency conversation, I would just  
2 say that--at the time, as Deputy Chief of Mission in the  
3 Embassy in Ukraine, my responsibility was for carrying out  
4 our policies and programs in Ukraine, and providing my  
5 advice. I was not a participant of the interagency process  
6 and the details. That's why we have a State Department.  
7 There were some videoconferences, but just to be very clear,  
8 I wasn't in my current position. My current position, I  
9 have responsibility for engaging with other parts of the  
10 U.S. Government in Washington on an as-needed daily basis.

11           But, you know, you've got me in a period of time where  
12 I have addressed these issues in Washington, as a  
13 policymaker, my current job, as well as being at an Embassy.  
14 And so I cannot tell you specifically, because in the  
15 majority of this time frame I was in Kiev, not Washington.

16           MR. FOLIO: So is it fair to say that you were sharing  
17 your view with your agency, i.e., the Embassy, and then it  
18 sounds like you were not regularly involved in the  
19 interagency process to sort out issues at that level?

20           MR. KENT: I would say this, that the lead voice of the  
21 Embassy in engaging interagency process was Ambassador Geoff  
22 Pyatt, and he had a very active dialogue, including with  
23 Senators Johnson and Murphy, and everyone else who came to  
24 Ukraine, as well as administration officials. My job, as  
25 the Deputy Chief of Mission, was to make the Embassy

1 enterprise run like a train, while he, the Ambassador, did  
2 what Ambassadors are supposed to do. So, you know, it's a  
3 delineation of responsibilities and who does what.

4 MR. FOLIO: Understood.

5 So I'd like to talk about your time as the Senior  
6 Anticorruption Coordinator in the State Department's  
7 European Bureau. I believe it was from 2014 to 2015. I  
8 think you said it was during this time that you addressed  
9 the role of Burisma in Ukraine society, and the U.S.  
10 Government came to its view of Burisma. Can you just make  
11 clear, when did the U.S. Government make its assessment  
12 about Burisma and its potential involvement in the  
13 corruption, and how did it come to that view?

14 MR. KENT: I'd like to correct your sort of  
15 characterization of when I learned and what I did. My role  
16 in Washington as the Senior Anticorruption Coordinator was  
17 to work with several dozen U.S. Embassies across Europe and  
18 Eastern Europe to form and build out anticorruption  
19 strategies, country-specific strategies. The detail that I  
20 later became aware of with Zlochevsky and Burisma really  
21 started, or did start when I arrived in Kiev, first in an  
22 acting capacity as Acting Deputy Chief of Mission, in  
23 January of 2015, and our Department of Justice  
24 representative at the Embassy asked for me to go in, as a  
25 higher-ranking official, and ask why did the case against

1 Zlochevsky get turned down. And just like any good lawyer  
2 and former Federal prosecutor, he gave me a brief, and  
3 that's what I learned. So it was based on an assessment by  
4 our law enforcement and justice officials at the Embassy.  
5 For me that started January 2015.

6 MR. FOLIO: And that was just after the case had been--  
7 the case in the United Kingdom against Burisma had been  
8 dismissed.

9 MR. KENT: Right. And our issues was not the dismissal  
10 of the case in the UK per se. I was going in to demand to  
11 know answers why prosecutors in Ukraine had shut the money-  
12 laundering case, and then the same day they shut the case,  
13 the Prosecutor General's Office issued a letter to  
14 Zlochevsky's lawyer, which was then presented to the British  
15 judge before the UK and U.S. law enforcement community could  
16 react.

17 So our focus, at the Embassy in Kiev, was on our  
18 concerns that Ukrainian prosecutors had acted not only  
19 against the interests of Ukraine but actually, then, we had  
20 a fiduciary interest because we had spent hundreds of  
21 thousands of dollars trying to set up mechanisms that would  
22 allow Ukraine to recover stolen assets.

23 MR. FOLIO: So prior to this January 2015 meeting, what  
24 awareness, if any, did you have of Burisma corruption in the  
25 Ukraine?

1 MR. KENT: I do not believe that I was aware of the  
2 specifics before I came to Kiev.

3 MR. FOLIO: You arrived in January 2015. The DOJ  
4 representative provides you with what you described as a  
5 brief, and that's where you started to learn the details  
6 about Burisma and the possible corruption issues involving  
7 them. Is that correct?

8 MR. KENT: Correct.

9 MR. FOLIO: When you were presented with that material,  
10 what was your understanding of the U.S. position with regard  
11 to Burisma? Was it a State Department position? A DOJ  
12 position? And how well-considered was it?

13 MR. KENT: Our concern was about Mykola Zlochevsky, the  
14 former minister who had awarded himself gas licenses and  
15 then engaged in what we believed to be money-laundering.  
16 Our focus was on the person.

17 MR. FOLIO: And the way you described it in your  
18 statement was it seemed, from the U.S. Government's  
19 perspective, that this person may have basically absconded  
20 with money that rightfully belonged to the Ukrainian people,  
21 and our efforts were focused on trying to return that.

22 MR. KENT: The Ukrainian government had made a general  
23 request, help us recover billions of dollars of stolen  
24 assets. Again, they were broke, the money had been stolen,  
25 and so they asked for help. And so we established a

1 mechanism, and the first early harvest case, based on  
2 information that the UK Serious Fraud Office already had in  
3 hand, happened to be money in a bank account controlled by  
4 Mykola Zlochevsky. So the case was against Zlochevsky, the  
5 person.

6 MR. FOLIO: What U.S. agencies were focused on this  
7 issue at the time, other than yourself? You said the DOJ  
8 person. Were there other U.S. Government agencies that you  
9 worked with at this time to understand and advance the U.S.  
10 interest in the Burisma case?

11 MR. KENT: Again, to be specific, the case was against  
12 Mykola Zlochevsky, who happens to be the owner of Burisma.  
13 The FBI had the lead, as a law enforcement matter. FBI was  
14 working with the Serious Fraud Office in the UK and  
15 Ukrainian law enforcement. At overseas embassies, the FBI  
16 is known as legal attaché. So there was a legal attaché,  
17 FBI agent, and he had the lead. The Department of Justice  
18 representative was from a program called OPDAT. That's  
19 Overseas Prosecutorial Development and Advisory and  
20 Training. And he was the individual who accompanied me to  
21 the meeting at the Prosecutor General's Office in February  
22 of 2015, to demand to know what had happened, why did they  
23 close the case.

24 MR. FOLIO: And I think you said in your opening  
25 statement that the case had been the product of six months

1 of hard work from the FBI. So when you appeared in January  
2 2015, what was your understanding of the work that had gone  
3 into the case up until that point in time?

4 MR. KENT: Our law enforcement team was confident that,  
5 in working with UK and Ukrainian counterparts on this case,  
6 had built an argument that there had been money-laundering.  
7 And that's why when the case was shut peremptorily, in  
8 December, as the holiday season was beginning, there was a  
9 sense of "Why did you waste our time and money? Why did you  
10 do this?"

11 And I should just be specifically. Normally, law  
12 enforcement is law enforcement. It's unusual when diplomats  
13 are brought in to follow up in diplomatic channels to figure  
14 out what went wrong in a law enforcement case. The reason  
15 why is because there was a presumption that there had been  
16 political interference, and that then brought it into a  
17 level of engagement that the Legat, the legal attaché FBI,  
18 normally didn't do. And that's why they asked me, as number  
19 two in the Embassy, to go in and raise it with the number  
20 two prosecutor in the country.

21 MR. FOLIO: And I know we've touched on this, but  
22 because it involves some moving parts I just want to make  
23 sure the record is clear. So what was your understanding of  
24 the status of the case against Mr. Zlochevsky written at the  
25 time? What was that court waiting for?

1 MR. KENT: Again, I was working as a diplomat in  
2 Ukraine. Our focus was what had gone wrong in Ukraine.  
3 What I was told by our law enforcement and DOJ  
4 representatives was based on the Ukrainian's Prosecutor  
5 General's Office, closing the case against Zlochevsky, the  
6 person, and then referring it back to the Ministry of  
7 Interior and police to be re-examined as a case against the  
8 ministry that he headed, that the letter to that effect, no  
9 open criminal case against Zlochevsky, was used by his  
10 lawyers, presented to the judge, and he then lifted the  
11 freeze and the money was immediately transferred out of the  
12 country.

13 So my focus was not on what happened to the UK other  
14 than the fact that a letter from the Ukraine Prosecutor  
15 General's Office had been provided to Zlochevsky's lawyers,  
16 and that had gone to the UK judge. My focus was trying to  
17 track down what had gone wrong in Ukraine and to try to  
18 hold, on demand, that those that had presumably taken abroad  
19 be held to account. Because that was the effort that we had  
20 wasted six months, money, time, and effort to help Ukraine  
21 on its established priority, which was to get millions if  
22 not billions of dollars back that had been looted and stolen  
23 by the previous government.

24 MR. FOLIO: We are going to ask Will to pull up a  
25 document that we will enter as Exhibit 2. This is a

1 document, Mr. Kent, that we will probably address a few  
2 different times today, but Exhibit 2 is a September 6, 2016,  
3 email that you sent to Bridget Brink, Jorgan Andrews, and  
4 Ambassador Yovanovitch, about your call with Ms. Painter at  
5 Blue Star.

6 [Kent Exhibit No. 2 was marked  
7 for identification.]

8 MR. FOLIO: I believe you're familiar with this. Let  
9 us know if you would like to review the entire email, but I  
10 just wanted to focus, at this moment, in particular, on the  
11 paragraph on page--Bates number 346.

12 MR. HARTMAN: Thank you.

13 MR. SCHRAM: Just nothing that these records haven't  
14 been identified in advance for--as far as, you know, for the  
15 witness, but certainly not for the minority. So just give  
16 us a moment to find it in our hard copy material as well.

17 Can you repeat the Bates number?

18 MR. FOLIO: We're looking at page 346, but I believe  
19 the Bates begins at 345 and it goes until 347. It's a  
20 three-page email from Mr. Kent.

21 MR. SCHRAM: And what's the date of that email?

22 MR. FOLIO: September 6, 2016.

23 MR. SCHRAM: Okay.

24 MR. FOLIO: And, Mr. Kent, if you want to get a head  
25 start we are going to ask you to focus on page 346,

1 specifically the paragraph at the bottom that you have  
2 described as Footnote 2.

3 [Pause.]

4 MR. FOLIO: So, Mr. Kent, in this paragraph you wrote,  
5 quote, "Zlochevsky was viewed as corrupt not just in Ukraine  
6 but by the USG/FBI, that he almost certainly had paid a  
7 bribe to the PGO office, Yarema team, to have them close a  
8 case against Zlochevsky in December of 2014, and issue a  
9 letter to that effect, as Zlochevsky's lawyer, who flipped  
10 it to a UK judge who unfroze assets that the FBI and MI5 had  
11 spent months trying to make a case for asset repatriation.  
12 The first, and so far only possible case in an effort we  
13 collectively had spent hundreds of thousands of dollars."

14 So, Mr. Kent, is this email a representation of what  
15 you've just described to us, with regard to your work at the  
16 U.S. Embassy in Ukraine on Burisma, and the corruption case  
17 there, and the related case in the United Kingdom?

18 MR. KENT: Yes. I would just--you know, in my email I  
19 had misidentified which British agency. The agency is the  
20 Serious Fraud Office, SFO, as opposed to MI5, which is the  
21 domestic equivalent of FBI. So they had a separate  
22 anticorruption agency. So my email--this particular email  
23 misidentifies the UK partner to the FBI in the case.

24 MR. FOLIO: And what officials in the Ukraine viewed  
25 Mr. Zlochevsky as corrupt?

1 MR. KENT: To be honest, I cannot answer that question,  
2 because specifically about this case, again, the FBI was  
3 working with its partners. I came in, handed the brief,  
4 delivered the stern request, and questioned the Deputy  
5 Prosecutor General. But the FBI has a number of, I would  
6 say, partners, and I don't know which one, which law  
7 enforcement entity was working this particular case.

8 MR. FOLIO: And so based on this email, are there any  
9 other reasons that we haven't already talked about that you  
10 would like to explain, or are able to explain how the U.S.  
11 Government came to its position about Mr. Zlochevsky, his  
12 involvement in corruption?

13 MR. KENT: The only other element that I would mention,  
14 since you have it in the documents that you requested from  
15 the State Department, was there is a series of documents  
16 internal to the Embassy discussing the company's reputation  
17 and its business practices, in which members of our economic  
18 section confirmed, as I mentioned in my opening statements,  
19 about Burisma's reputation in the business. But that was  
20 continuing contemporaneously until 2016.

21 MR. FOLIO: Now I'm going to ask Will to pull up a  
22 document we're going to mark as Exhibit 3.

23 [Kent Exhibit No. 3 was marked  
24 for identification.]

25 MR. FOLIO: This is an email--I'm sorry. This is an

1 email chain, the most recent of which was November 22, 2016.

2 The Bates numbering is 479 through 481.

3 Mr. Kent, we're going to turn to the bottom of page--  
4 we'll show you 481, the end of the email, but it's just a  
5 signature block, and then we'll ask Will to stop at the  
6 bottom of page 480.

7 [Pause.]

8 MR. HARTMAN: I'm sorry. Josh or Joe, you faded out  
9 for a moment. What did you want him to direct his attention  
10 to?

11 MR. FOLIO: I just wanted to show him here at the  
12 bottom of the email chain, specifically this is an email  
13 from Geysa Gonzalez to Jorgan Andrews, and the subject line  
14 is "Meeting Request from Ambassador Herbst."

15 MR. HARTMAN: Okay. Thank you.

16 MR. FOLIO: And the email request is that "Ambassador  
17 Herbst was wondering if you might have some time to meet  
18 tomorrow to chat about Ukraine in general, but also Mr.  
19 Mykola Zlochevsky, who owns Burisma, one of Ukraine's most  
20 significant natural gas producers."

21 Mr. Kent, who is Mr. John Herbst, Ambassador Herbst?

22 MR. KENT: John Herbst was Ambassador to Ukraine from  
23 2003 to 2006. I worked for him from 2004 to 2006, when I  
24 was at the Embassy in Kiev the first time. After he  
25 retired, I can't remember which year he joined the Atlantic

1 Council, and currently heads its Eurasia program.

2 MR. FOLIO: Will, if you could please scroll up.

3 You're not copied on that original email, the email to the  
4 recipients who were redacted. Mr. Andrews asks, "What do we  
5 know about Burisma, Zlochevsky? Should I accept this  
6 meeting or beg off?"

7 The email gets forwarded two more times--one, two,  
8 three--four more times, and then eventually it involves you,  
9 and you're made aware of the request of Ambassador Herbst to  
10 chat about Ukraine and Mr. Zlochevsky.

11 At the top, the final email, "Meet with Herbst to talk  
12 about Zlochevsky, okay. Meet with Zlochevsky, no, not under  
13 any circumstances.

14 Why did you direct Mr. Andrews and others not to meet  
15 with Mr. Zlochevsky under any circumstances?

16 MR. KENT: If I can go back to the bottom of the email  
17 chain, this exchange was predicated on, I would say, unclear  
18 grammar in the original request. Scroll up one more screen.

19 You have additional--there is additional clarity. I  
20 don't know what the number of the email, but as part of this  
21 cluster of emails. What Ms. Gonzalez, who I suspect may  
22 have been an intern or an associate, she should have--to be  
23 clear, I would have--to chat about Ukraine in general but  
24 also about Zlochevsky. One of the subsequent emails  
25 contemporaneous to that time indicate that he doesn't have a

1 visa to come to the United States, and that it was just a  
2 matter of Herbst wanting to talk about Ukraine in general,  
3 and about Zlochevsky. But when I answered, it was not clear  
4 to any of us, based on the back-and-forth, if this was a  
5 request for a meeting with Herbst or a meeting with  
6 Zlochevsky. So I was just trying to be very clear. You can  
7 always talk to former Ambassador Herbst. Don't talk to  
8 Zlochevsky. And you saw the other--the third line I wrote.

9 MR. FOLIO: That third email seems to be a quote from a  
10 New York Times article that relays many of the concerns that  
11 we've discussed about Burisma, its involvement in the London  
12 case, and the freezing of \$23 million.

13 MR. KENT: And it refers to the speech that I mentioned  
14 in my opening comments, that Ambassador Pyatt made in Odessa  
15 in 2015.

16 MR. FOLIO: Yes. Sorry. One second, please.

17 [Pause.]

18 MR. FOLIO: So, Mr. Kent, in the email that includes  
19 the quoting of The New York Times article, in the record it  
20 says "Ambassador Pyatt's speech." The paragraph beginning,  
21 the title that then here it talks about the refusal by the  
22 Ukrainian Prosecutor General's Office to cooperate was the  
23 target of the stinging attack by the American Ambassador to  
24 Ukraine, Geoffrey R. Pyatt, who called out Burisma's owner  
25 by name in his speech.

1           What was the failure to cooperate by the Ukrainian  
2 Prosecutor General's Office?

3           MR. KENT: I'm going to talk about facts, not what some  
4 unnamed U.S.--or, sorry--New York Times journalist may or  
5 may not have written. I mean, that's what they wrote but I  
6 don't know who the writer is.

7           The Prosecutor General's Office, at the time of the  
8 speech, was led by Viktor Shokin, who had disrupted the  
9 Diamond Prosecutors case against his former driver and his  
10 former secretary, who was the wife of the former driver, and  
11 destroyed and fired everybody who had been stood up to find  
12 corrupt prosecutors. And so the lack of cooperation, in a  
13 speech delivered in September of 2015, was squarely about  
14 Viktor Shokin, and as one of the examples of their inability  
15 to do what Ukraine needed, Ambassador Pyatt also raised the  
16 case of Zlochevsky.

17          MR. FOLIO: At the top of the email, I know you said  
18 there was some confusion about what Ambassador Herbst's  
19 request was. But even if there was a misunderstanding, why  
20 was it your position that no one should meet with Mr.  
21 Zlochevsky under any circumstances?

22          MR. KENT: He was a corrupt Ukrainian oligarch, and I,  
23 frankly, don't see the policy interest in having U.S.  
24 officials meet with corrupt businessmen.

25          Our time is valuable, and we're dealing with a lot of

1 policy issues, a lot of program issues, and just because  
2 someone wants to talk to us doesn't mean that we have to or  
3 should talk to them. And so since it seemed to be a lack of  
4 clarity on the part of some officials in Washington about  
5 what the company and the businessman represented, I was  
6 trying to offer very clear advice.

7 MR. FOLIO: Sure. And at the same time, the U.S. is  
8 also advocating an anticorruption position. So would it be  
9 inconsistent for the United States to be advocating for that  
10 position and then, at the same time, meeting with officials  
11 who are suspected of corruption?

12 MR. KENT: That is the basis of my advice.

13 MR. FOLIO: One more document, the U.S. Government's  
14 general perception of Burisma around this time. We're going  
15 to it as Exhibit 4, and pull it up.

16 [Kent Exhibit No. 4 was marked  
17 for identification.]

18 MR. FOLIO: The Bates numbers on this page are 1205  
19 through 1207--I'm sorry, 1208.

20 And, Mr. Kent, this is the draft of a briefing  
21 checklist for Ambassador Yovanovitch's meeting with Karen  
22 Tramontano from Blue Star Strategies. If you turn to the  
23 last page, there's just a block that says it was approved by  
24 you, Deputy Chief of Mission Kent. That means you approved  
25 this memo that went out to the Ambassador?

1 MR. KENT: That's one of the joys of being a Deputy.  
2 The paper goes through you to the boss, and so yes, it would  
3 have been drafted and cleared in other parts of the Embassy  
4 and then come to me before being passed to the Ambassador,  
5 before for a meeting.

6 MR. FOLIO: Could we just focus for a second on the  
7 bottom of page 1206.

8 MR. SCHRAM: Joe, can you just give us a moment to find  
9 a hard copy?

10 MR. FOLIO: Sure, Zack.

11 MR. SCHRAM: Could you repeat the date of the memo,  
12 please?

13 MR. FOLIO: The memo is dated December 8, 2016. It is  
14 attached to an email chain, the latest in time of which is  
15 December 6, 2016.

16 MR. SCHRAM: Got it. Thank you.

17 MR. FOLIO: So, Mr. Kent, the bottom of that page, the  
18 second bullet point reads, in part, "We have extensive  
19 concerns about corruption in Ukraine and we believe that Mr.  
20 Zlochevsky is an example. If you would like to clear his  
21 name he should return to the Ukraine to face the charges  
22 against him."

23 I think we've addressed this. You've explained to us  
24 previously your understanding of why Mr. Zlochevsky was an  
25 example of the extensive concerns about corruption in the

1 Ukraine. Is there anything you haven't explained to us, as  
2 to the basis for that opinion?

3 MR. KENT: Nothing. No additional information that I  
4 can think of.

5 MR. FOLIO: How well-known was this opinion in the  
6 Embassy at the time?

7 MR. KENT: Which opinion?

8 MR. FOLIO: The opinion that Mr. Zlochevsky, that there  
9 were extensive concerns about corruption in Ukraine and Mr.  
10 Zlochevsky was an example of that concern?

11 MR. KENT: I would say after we suspended the  
12 cooperative agreement that a part--an implementer of USAID  
13 had had with Mr. Zlochevsky's company, Burisma, they were  
14 more widely known than they had been before. So by this  
15 point, and keep in mind, you know, we just shifted forward  
16 ahead a year, it's a different corrupt prosecutor, Lutsenko,  
17 it's a different ambassador, Yovanovitch instead of Pyatt.  
18 The economic section officials who knew the business  
19 community the best were the same, and some of the USAID and  
20 other folks may have shifted.

21 But I would say at this point, we're now talking  
22 December 16, that knowledge was sufficiently known at the  
23 Embassy.

24 MR. FOLIO: Now, Mr. Kent, to the specific USAID  
25 program that we've talked about, and I will ask Will to pull

1 up what we'll mark as Exhibit 5.

2 [Kent Exhibit No. 5 was marked  
3 for identification.]

4 MR. FOLIO: Exhibit 5 is Bates numbered 357 through  
5 364. It is a series of emails attached to the end of the  
6 emails, a memorandum of understanding between Burisma and  
7 the Municipal Energy Reform Project. And we're going to  
8 take these in parts, but I'd like to focus on the emails to  
9 begin.

10 Looking at page 358, it actually begins with an email,  
11 and I'm not sure the source, if it's a listserv, but it's  
12 some sort of email with the subject line, Addressing FBI  
13 American grants go to Yanukovich's, quote/unquote, and  
14 against the Ukrainian Army. And this is sent I think  
15 broadly, but you respond, in the middle of page 358, on July  
16 27, 2016, and you describe it as "a nasty smear."

17 MR. SCHRAM: Joe, same request. Can you give us a  
18 moment to pull up the hard copy?

19 MR. FOLIO: Sure. Let us know when you're ready, Zack.

20 MR. SCHRAM: Even if these have been identified as soon  
21 as this morning it would have given us an opportunity to be  
22 able to follow along.

23 MR. FOLIO: Sorry about that.

24 MR. GOSHORN: Joe, can you repeat the Bates number of  
25 the document you're looking at here?

1 MR. FOLIO: The Bates page is 357, the last three  
2 numbers.

3 MR. GOSHORN: All right. Thank you.

4 [Pause.]

5 MR. GOSHORN: Okay, Joe.

6 MR. FOLIO: Mr. Kent, it's a forward of something  
7 written by a person named Tetiana Chornovol, that you are  
8 responding to. Who is Tetiana Chornovol?

9 MR. KENT: She, before the Revolution of Dignity, was a  
10 journalist. She was beaten up by Yanukovich's goons  
11 December of 2013. That made her name and reputation. She  
12 became a member of Parliament in the elections in 2014. Her  
13 husband volunteered and was killed on the front fighting the  
14 Russians, and as you can see from my comment, she was then  
15 reputed to have become the partner of one of the corrupt  
16 figures in the party of Prime Minister Yatsenyuk.

17 So other journalists did not consider her a good  
18 investigative journalist. That's how her reputation was  
19 made. So that's the background of those different  
20 particular word clusters.

21 So she was--but as a--she was, as a former journalist,  
22 and as MP, she was essentially going on the attack against  
23 U.S., in part because she was the lover of a very corrupt  
24 politician, and we were pressuring him as well. And so this  
25 was a sort of tit-for-tat attack that she smeared a number

1 of people. She went against, you know, young reformers,  
2 that's your optimists. Kasko was one of the reformers'  
3 deputy prosecutor generals that we worked with under Shokin,  
4 that was then fired by Shokin, and then when I say  
5 potentially the USAID, because she made the, oh, by the way,  
6 whatever is in the text, alleging that there was  
7 cooperation.

8       And so if you go--yeah, so on page 360, at the end,  
9 look at the coincidence of coincidence, the website of Burisma  
10 Holdings, the partner of a list of events of the Ukrainian  
11 Office of USAID, and she said--so that was my question to  
12 the then Acting USAID Mission Director in country. Per our  
13 background, did Burisma ever cosponsor a USAID activity, as  
14 alleged, because that was news to me. So that's why I asked  
15 the question to the U.S. Government official who was--he was  
16 normally the deputy in the mission, and in summer transition  
17 season the new mission director had not yet arrived.

18       MR. FOLIO: Why were you concerned about that?

19       MR. KENT: Well, if someone makes an allegation about  
20 U.S. programs, I want to know, from the inside, whether  
21 there's any truth to it.

22       MR. FOLIO: And just on the face of the allegation, if  
23 a USAID program was linked to Burisma, is that something  
24 that would at least initially draw your concern?

25       MR. KENT: That's why I asked the question, and you

1 have the series of emails. That's what happened after.

2 MR. FOLIO: So at the end of that forward, when you  
3 asked the question, you also wrote, to remind someone who  
4 joined the Burisma team is Hunter Biden. Zlochevsky is the  
5 corrupt ex-Minister of Ecology whose frozen assets were  
6 released by GPO perfidy in December 2014.

7 Why did you include that in your foreword?

8 MR. KENT: This was a summer transition. I wanted  
9 people who might be responding to my inquiry to understand  
10 the context of the inquiry.

11 MR. FOLIO: Why did you flag the fact that Hunter Biden  
12 is part of the Burisma team?

13 MR. KENT: I was giving people what I felt were  
14 relevant details of why the U.S. should care about the  
15 allegation of a person, an MP, Tetiana Chornovol, who  
16 oftentimes attacked us.

17 MR. FOLIO: So I understand the concern that USAID may  
18 be partnering with a company that, as we just discussed at  
19 length, that the U.S. Embassy and others view as corrupt.  
20 But what's the significance of flagging for your team during  
21 the transition period that Hunter Biden is part of the  
22 Burisma team? Why does that matter?

23 MR. KENT: I was providing context, details, because I  
24 had more awareness of dynamics with this company than other  
25 people did. As I mentioned in my opening statement, the

1 economics section, Ambassador Pyatt and I, and at this point  
2 we're in the last--actually, Ambassador Pyatt would have  
3 left. I was probably the chargé when I wrote this email.  
4 We had more detailed knowledge than others in the Embassy  
5 did. And so I was just sharing knowledge.

6 MR. FOLIO: What effect did Hunter Biden have on the  
7 balance that you just described?

8 MR. KENT: Zero. Nothing.

9 MR. FOLIO: They why did you flag Hunter Biden as  
10 opposed to any other prominent board member of Burisma?

11 MR. KENT: I put that information out there as context.  
12 At the same time I asked if it was true and made sure that  
13 there was no cooperation with Burisma.

14 MR. FOLIO: Right. No, I understand, and I'm not  
15 trying to be tricky here. I just want to understand that it  
16 seems, from your including this in the email, that this was  
17 at least significant enough that you wanted to make sure  
18 that your new team and staff were aware of the situation, I  
19 think as anyone would want their staff to be aware of all  
20 the facts. Right?

21 MR. KENT: I'm somebody whose philosophy is to share  
22 information so that other people are fully informed, and  
23 that's what I was doing. Nothing more.

24 MR. FOLIO: I think the initial response from your  
25 colleagues was that there was no cooperation, but then your

1 colleagues corrected, turning back to page 357, the top  
2 email on 12 August 2016. And in that first paragraph your  
3 colleagues write, "I was just informed today that we have  
4 been working with Burisma through our Municipal Energy  
5 Reform Program since October of 2014," and they attached the  
6 MOU.

7       So what was your understanding of the collaboration  
8 between the Municipal Energy Reform Program, also known as  
9 MERP, and Burisma?

10       MR. KENT: Based on not just the MOU but then,  
11 subsequently, I think there are other additional emails on  
12 this issue, it became clear that in 2015 there had been some  
13 sort of prize contest where a grant, or awards had been  
14 given to people who came up with the best ideas for  
15 promoting clean energy, and that in 2016, they were on the  
16 verge of running and announcing a second round of this  
17 contest in September 2016.

18       So on two occasions, 2015 and 2016, they were running  
19 contests, basically PR contests, for coming up with the best  
20 ideas for promoting clean energy.

21       MR. FOLIO: So at the end of that email, from the  
22 redacted sender, the sender wrote, "I imagined you'd like to  
23 discuss this further, so please advise and I'll set this  
24 up."

25       From your perspective, why do you think that person was

1 imagining or guessing that this is something you would want  
2 to discuss with them?

3 MR. KENT: Based on my initial question, since I raised  
4 it and said, "Did they ever co-sponsor an activity?" and  
5 initially he said he didn't think so and then he said, "Oh,  
6 well maybe they did," he understood the context. I wouldn't  
7 have asked the question if I wasn't then interested in  
8 having a further conversation, which we subsequently did.

9 MR. FOLIO: Right. So was this the initiation, or the  
10 initial recognition of we have a partnership here that we  
11 want to make sure we understand whether or not it makes  
12 sense they continue?

13 MR. KENT: If you notice, he sent the email at 4:47 on  
14 a Friday afternoon, and so at that point, in August, in the  
15 summertime, not a time to be calling interagency meetings.  
16 So if you continue on in the sequence of emails you'll see  
17 the next day, a Saturday, in the middle of August, there was  
18 additional commentary. And I wrote, "To respond on Monday,"  
19 not to be a hard boss who is asking people to be working on  
20 a Saturday in the middle of August. And then we had the  
21 meeting at the beginning of the next work week.

22 MR. FOLIO: I think our time for the majority  
23 questioning is just about over. I just want to look to my  
24 colleagues to see if they had any questions.

25 MR. HARTMAN: Jon?

1 MR. FOLIO: I think we're okay on--

2 MR. HARTMAN: Jon?

3 MR. FOLIO: --so we're concluding.

4 MR. HARTMAN: This is Barry. Is possible to just take  
5 a break? Among other things we're spilling off the server  
6 and we have to reconnect.

7 MR. FOLIO: A perfect time for a break. Zack, assuming  
8 you're going to initiate? It's 11:24 on my clock. What  
9 times would you like us to be back?

10 MR. SCHRAM: Five minutes? 11:30?

11 MR. FOLIO: Barry, is that enough time for you?

12 MR. HARTMAN: Well, we'll try to make it enough time.

13 MR. SCHRAM: Let's call it 10.

14 MR. HARTMAN: We'll try to make it enough time. I  
15 mean, I need to find an IT person to see if we can get  
16 connected back up again.

17 MR. SCHRAM: Let's call it 10 minutes and we'll be back  
18 at 11:35.

19 MR. HARTMAN: Okay. And I'll ask your IT person to  
20 stay on if they can.

21 MR. SCHRAM: Thank you.

22 MR. FOLIO: All right. Thank you.

23 [Recess.]

24 MR. SCHRAM: Mr. Kent, thank you again for your time  
25 and your testimony. We very much appreciate the service

1 that you have performed for this country over your  
2 distinguished career and for the sacrifices that you make.

3 One question, it would be helpful to have a written  
4 copy of your statement that we could refer to during this  
5 interview, if that's available and if there are no  
6 objections. Is that something your lawyers could send to  
7 counsel?

8 MR. HARTMAN: I don't know if you can hear me. It was  
9 a rough-written statement. If we can clean it up a little  
10 bit we'll be happy to share it.

11 MR. SCHRAM: Okay.

12 MR. HARTMAN: Since we didn't have a lot of time.

13 MR. SCHRAM: So I'll note that the majority's  
14 characterization of the scope of this investigation at the  
15 beginning of this interview was--included a few more  
16 conjunctions than the scope as defined in the letter, which--  
17 -the April 30, 2020 letter, that has led to your testimony.  
18 So I just want to repeat what the scope of the investigation  
19 was, according to the letter that has led to your testimony.

20 The letter says, "As we explained to you"--it's to  
21 Secretary Pompeo--"as we explained to you in our letter of  
22 6/20/19, The Committee on Homeland Security and Governmental  
23 Affairs and the Committee on Finance continue to examine  
24 potential conflicts of interest relating to the Obama  
25 administration's policy decisions with respect to Ukraine

1 and Burisma Holdings."

2 Mr. Kent, was the foreign policy that Vice President  
3 Biden pursued in Ukraine intended to advance the interests  
4 of the United States of America?

5 MR. KENT: It was.

6 MR. SCHRAM: Are narratives that suggest otherwise  
7 false?

8 MR. KENT: As I've testified, I know of no facts to  
9 support those claims.

10 MR. SCHRAM: Did a conflict of interest influence Obama  
11 administration policy decisions with respect to Ukraine and  
12 Burisma Holdings?

13 MR. KENT: In my view, no.

14 MR. SCHRAM: Was the foreign policy pursued by Vice  
15 President Biden in Ukraine corrupt?

16 MR. KENT: The foreign policy that Vice President Biden  
17 helped advance was to counter corruption.

18 MR. SCHRAM: Did Vice President Biden alter United  
19 States Government foreign policy concerning Ukraine to  
20 assist his son?

21 MR. KENT: I have no evidence to suggest that, no.

22 MR. SCHRAM: As you have previously testified to, did  
23 you witness any efforts by any U.S. official to shield  
24 Burisma from scrutiny?

25 MR. KENT: As I said in my opening statement and

1 repeated, no.

2 MR. SCHRAM: Was the U.S. Government position  
3 advocating for the removal of Prosecutor General Shokin part  
4 of an effort to stop an investigation into Burisma?

5 MR. KENT: No.

6 MR. SCHRAM: At the time that the Obama administration,  
7 including Vice President Biden, was pushing for the removal  
8 of Prosecutor General Shokin, was there an active  
9 investigation into Burisma?

10 MR. KENT: Investigation by whom?

11 MR. SCHRAM: By the Prosecutor General's Office.

12 MR. KENT: Well, as I testified last fall, I did not  
13 and do not have awareness of all the cases that may or may  
14 not be opened by Prosecutors General in Ukraine. I don't  
15 have the basis to answer that question definitively.

16 MR. SCHRAM: Were you aware of any?

17 MR. KENT: I was not aware of any serious effort to  
18 prosecute Zlochevsky after the case that led to the freezing  
19 of his assets was dismissed. However, I was aware that a  
20 case that was opened under Prosecutor General Lutsenko was  
21 settled as a back tax case rather than a money-laundering  
22 case, and payment was made and Zlochevsky was allowed to  
23 return to the country, and I testified to that last fall.

24 MR. SCHRAM: And so what is the implication of that,  
25 with respect to the Shokin-led Prosecutor General's Office

1 and its efforts to prosecute corruption with respect to  
2 Burisma or Zlochevsky?

3 MR. KENT: Well, again, there is, unfortunately, a  
4 series of corrupt, ineffective Prosecutors General, and just  
5 to be very clear about the timeline, in January/February  
6 2015, when, allegedly, the case against him for money-  
7 laundering was closed, the Prosecutor General was Yarema.  
8 The next Prosecutor General, from February 10, 2016, to  
9 March 29--sorry--February 10, 2015, to March 29, 2016, was  
10 Shokin. Yuri Lutsenko was Prosecutor General later that  
11 spring in 2016 until 2019, and there was a case, under  
12 Lutsenko, that was opened and then shut, and was downgraded.  
13 I don't know what the original cause was, case. We didn't  
14 see. It's a Ukrainian Prosecutor General's case. But it  
15 was settled as a failure to pay taxes. So fine paid, and at  
16 that point, then, Zlochevsky returned to Ukraine from his  
17 residence in Monaco, where he had been for several years.

18 So your question specifically was that middle period,  
19 and I don't have information to be able to give you an  
20 accurate answer. I have more information under Yarema and  
21 under Lutsenko. I can assess that Viktor Shokin did not  
22 seriously advance any case of corruption against any known  
23 corrupt individual during his tenure.

24 MR. SCHRAM: With respect to Shokin, was it your view,  
25 at the time, that his removal would increase or decrease the

1 likelihood that Burisma or Zlochevsky would be investigated  
2 for corruption?

3 MR. KENT: That was not a factor that we were  
4 considering, because we were considering the case, the issue  
5 of prosecutorial reform, systemic reform. That principally  
6 was our focus, because he had wasted hundreds of thousands  
7 of U.S. tax dollars by destroying the capacity that we had  
8 helped stand up to go after corrupt prosecutors. So we were  
9 considering the merits of Shokin as corrupt prosecutor who  
10 was preventing reform.

11 MR. SCHRAM: So it was your view at the time that  
12 removing Shokin would advance the reform effort that the  
13 United States Government was pursuing.

14 MR. KENT: That was the position of the United States  
15 Government.

16 MR. SCHRAM: So was the policy advocating for the  
17 dismissal of Prosecutor General Shokin formulated by Vice  
18 President Biden in an effort to assist his son?

19 MR. KENT: No.

20 MR. SCHRAM: You spoke about this in your opening, but  
21 if you might expand on it. Whose idea was it to condition  
22 foreign aid, in part, on the removal of Prosecutor General  
23 Shokin?

24 MR. KENT: To the best of my recollection, because  
25 again we're talking about discussions that would have

1 happened four and a half years ago, and I've not been shown  
2 any documents to refresh my memory, it would have been a  
3 suggestion from the U.S. Embassy in Kiev to Washington,  
4 discussed in Washington among those involved in Ukraine  
5 policy, and then a suggestion made that it be part of what  
6 Vice President Biden said to President Poroshenko.

7 MR. SCHRAM: Mr. Kent, you testified at a 10-hour  
8 deposition and a day-long impeachment inquiry about this  
9 topic and related matters. Is anything that you have said  
10 today different or new?

11 MR. KENT: Some of the conversations we had in the last  
12 hour referenced documents, emails that I either wrote or  
13 received, that I did not address in my 10 hours of  
14 testimony, to the best of recollection of what exactly is on  
15 355 pages of text.

16 MR. SCHRAM: But it's fair to say that the general--is  
17 it fair to say that your general views on how policy towards  
18 Ukraine during the relevant time period was developed and  
19 advanced and executed remain the same?

20 MR. KENT: Yes, they remain the same.

21 MR. SCHRAM: Are you aware of any credible new  
22 information concerning Joe Biden's role in Ukraine policy  
23 that has emerged since you testified before the House?

24 MR. KENT: No, I am not.

25 MR. SCHRAM: You spoke, in the last hour, about the

1 importance of evaluating the value of our diplomats' time  
2 with respect to who they meet with and how they spend that  
3 time, and I regret that we are using your time to rehash  
4 topics that you have already covered.

5 Is it in the national interest of the United States to  
6 promote the false narrative that the Obama administration  
7 policy in Ukraine was corrupt?

8 MR. KENT: I'm going to decline to answer that. That  
9 doesn't touch on U.S. foreign policy. That's my job. I'm a  
10 non--to be clear, as I said in the beginning, I'm a  
11 nonpartisan career public servant.

12 MR. SCHRAM: Let me try to rephrase that. So you are a  
13 nonpartisan career public servant, which we fully respect,  
14 and you spoke in your opening about the interests of  
15 Ukrainians, some of whom you said are corrupt, lying, and/or  
16 advancing Russian disinformation efforts.

17 So you've also testified today that the narrative that  
18 the Obama administration policy in Ukraine was corrupt, that  
19 that narrative is false. So just, in general, with respect  
20 to promoting that false narrative, is that not a foreign  
21 policy matter? Doesn't that affect the national interest  
22 with respect to U.S. priorities in Ukraine?

23 MR. KENT: Well, what I would say is this, that--and I  
24 can tie it back to the document that we were just discussing  
25 before the break--there are a number of Ukrainians who have

1 attacked a number of American officials and programs and  
2 policies, for a variety of reasons. And so it is in our  
3 national interest to push back against false narratives and  
4 disinformation.

5 MR. SCHRAM: Including the false narrative and the  
6 disinformation that Joe Biden changed U.S. policy in Ukraine  
7 to benefit his son?

8 MR. KENT: Based on my knowledge of working on Ukraine,  
9 I do not know of any fact to support that position.

10 MR. SCHRAM: Can you speak to the origins of that  
11 narrative?

12 MR. KENT: I cannot. I have not made that accusation,  
13 and to the best of my knowledge it did not originate in  
14 Ukraine, where I was during those activities.

15 MR. SCHRAM: Can you elaborate on why, to the best of  
16 your knowledge, it didn't originate in Ukraine?

17 MR. KENT: Well, at the time I was in Ukraine,  
18 monitoring the Ukrainian media, and I did not see that  
19 narrative emerge, to the best of my recollection. Again,  
20 you know, we just looked at a document and I was asked about  
21 my reaction. There was an MP. She was the lover of a very  
22 corrupt politician that we were putting pressure on, and she  
23 made accusations against our programming and our activities,  
24 not just having to do with Burisma but also about defense  
25 industry, because her lover was engaged in corrupt schemes

1 in the defense industry, and we were putting a lot of money  
2 into defense.

3       So when, you know, even if I think they're liars or  
4 corrupt or acting in Russia's behalf, when people make  
5 accusations about our programming I am going to ask our team  
6 to make sure that there's no basis for making that  
7 assertion. And so, you know, that was my job in Ukraine, to  
8 counter Ukrainian and Russian disinformation about our  
9 programs and our policies.

10       MR. SCHRAM: So you mentioned Russian disinformation  
11 with respect to our programs and our policies. Can you  
12 expand on that? What is the purpose--what is the motive  
13 behind Russian disinformation with respect to our programs  
14 and policies in Ukraine?

15       MR. KENT: I believe Russia wants Ukraine as a project  
16 to fail, and I believe that President Putin and many of his  
17 circle don't accept Ukraine as an independent nation,  
18 separate from a greater Russia. And, therefore, they seek  
19 to divide Ukraine as a country, to turn it against each  
20 other. They seek to delegitimize Ukrainian individuals and  
21 organizations that want to lead Ukraine in a more pro-  
22 Western orientation, and they will come after the U.S. and  
23 try to discredit our programs and our Ukrainian partners.

24       And as an example, in the era of COVID, Senator Lugar,  
25 working with Senator Sam Nunn, set up the Lugar program

1 countering weapons of mass destruction. There are these so-  
2 called Lugar Labs in Georgia and Ukraine and other  
3 countries, and the Russians have been alleging that COVID  
4 was created and distributed from the so-called Lugar Labs,  
5 including the one in Ukraine. So that is a strand of  
6 Russian disinformation targeting the population of Ukraine  
7 but also intended to discredit our efforts, and, in fact,  
8 our wise investment over the last 15 years in helping other  
9 countries be prepared to counter biological threats. And,  
10 in fact, they're being used in countries like Ukraine and  
11 Georgia to help counter COVID.

12 MR. SCHRAM: Can you talk about how Russia uses proxies  
13 in Ukraine to advance its disinformation efforts?

14 MR. KENT: The main Russian proxy in Ukraine is a  
15 politician named Viktor Medvedchuk. He spent five years in  
16 Russia between 2014 and 2019. Putin is the godfather of his  
17 daughter. The former Prime Minister of Russia, Dmitri  
18 Medvedev, Medvedev's wife is the godmother of Medvedchuk's  
19 daughter. Medvedchuk was a KGB lawyer in the 1970s. He  
20 sent his client--a famous Ukrainian poet named Vasyl Stus,  
21 actually asked the judge to send his client to the Gulag,  
22 where Stus became the last known political prisoner,  
23 dissident, to die on a hunger strike during Mikhail  
24 Gorbachev's period.

25 So that's what we're talking about, somebody who was a

1 KGB asset in the '70s. While he was in Russia for five  
2 years he was given access to a lot of credit. He's bought  
3 up a swath of the Ukrainian media environment, and returned  
4 last year and is now an active politician and elected member  
5 of Parliament. So he is the main agent of Russia's  
6 influence within Ukraine.

7       There is an entire gas lobby, so-called gas lobby, I  
8 referenced earlier as the sort of original sin of the  
9 Ukrainian political class, who got rich based on trading  
10 Russian gas. The most famous of those members of gas lobby  
11 is Dmytro Firtash. He is currently fighting extradition  
12 from Austria. He was indicted in a court in Chicago in  
13 2014, and he is hopefully on his last round of appeals. I  
14 reference that because Viktor Shokin filed the false  
15 affidavits, swore a false affidavit last year.

16       We have then, most currently, Andrei Derkach, who is a  
17 member of Parliament, that I mentioned in my opening  
18 statement, and he's made a series of allegations over the  
19 last year about U.S. programs, policies, and persons.

20       MR. SCHRAM: And what leads you to believe that that's  
21 based on, or part of Russian disinformation, with respect to  
22 Mr. Derkach's efforts?

23       MR. KENT: I will decline to answer that question in  
24 this context, and suggest that those people who have  
25 intelligence or security clearances can ask for a briefing.

1 I will say that I've made my comments that I made  
2 earlier based on reading information available on the  
3 internet.

4 MR. SCHRAM: Okay. We'll go over this in some detail  
5 later, but are you aware that the Ranking Members have been  
6 repeatedly requesting defensive briefings on these matters  
7 since December?

8 MR. KENT: I believe my counsel was given a copy of a  
9 letter either this morning or late last night. Before then  
10 I was not aware, no.

11 MR. SCHRAM: And that as of today, the Members have not  
12 been briefed on that subject.

13 MR. KENT: I'm not a member of the intelligence  
14 community so I have nothing to say to that.

15 MR. SCHRAM: Okay. Who is Andrii Telizhenko?

16 MR. KENT: He is a young Ukrainian. To the best of my  
17 knowledge I have met him twice. He worked for the  
18 Prosecutor General in early 2015, so the first time I met  
19 him was in the Office of the Prosecutor General in that  
20 meeting that I referenced. And he then was assigned to the  
21 Ukrainian Embassy for roughly, I don't know, less than a  
22 year, and I believe I met him at a diplomatic reception in  
23 the basement of the Ukrainian Embassy here in Washington.

24 And after he went back to Ukraine he continued to work  
25 for several either current or former, at that point,

1 prosecutors, and eventually became a friend with the former  
2 mayor of New York.

3 MR. SCHRAM: I'm sorry. I missed the last part of that  
4 testimony. He became a friend--oh, of the--

5 MR. KENT: He appears in a number of the former mayor  
6 of New York's videos, Mr. Giuliani's videos.

7 MR. SCHRAM: Understood. You said when he worked for  
8 the Prosecutor General's Office, when you met him initially  
9 in Ukraine, which Prosecutor General was it at that time?

10 MR. KENT: He was an assistant to the top Prosecutor  
11 General, Yarema. That was 2014-2015.

12 MR. SCHRAM: Do you have reason to believe that we  
13 should be skeptical of his public claims with respect to  
14 America's programs and policies in Ukraine?

15 MR. KENT: I do.

16 MR. SCHRAM: Why?

17 MR. KENT: I believe that he has a track record of  
18 misrepresenting facts.

19 MR. SCHRAM: Can you elaborate?

20 MR. KENT: Well, a number of examples. I will give  
21 one. In late May of this year, he went on national TV on a  
22 Friday evening talk show on the country's top-rated TV  
23 channel and claimed that I controlled Ukraine by talking to  
24 the Deputy Prime Minister several times a week--sorry, the  
25 Deputy Foreign Minister several times a week. And he named

1 the individual, Deputy Foreign Minister Yenin, whom I have  
2 spoken to exactly once in the last two years. That is a  
3 non-truth.

4 MR. SCHRAM: In your testimony you spoke of some  
5 Ukrainians--some Ukrainian actors being corrupt, some being  
6 liars, and some advancing Russian disinformation. Which  
7 category does Mr. Telizhenko fit into?

8 MR. KENT: I would put him in the category of liar.

9 MR. SCHRAM: Do you have reason to believe he falls  
10 into any of the other categories?

11 MR. KENT: I would stick to him as a liar.

12 MR. SCHRAM: And what are the purpose of his lies?

13 MR. KENT: You would have to ask him.

14 I will say that, specifically, he did try to meet with  
15 me when he came back to Ukraine after leaving the Embassy,  
16 and our political section recommended against. They met him  
17 at their level and they found him unreliable, dubious  
18 honesty, and they said that the leadership of the Embassy  
19 should not be exposed and engaged to people like that. So I  
20 took the good advice of the political section and I did not  
21 meet with him again in Ukraine.

22 MR. SCHRAM: Are you familiar with the public reporting  
23 that Mr. Telizhenko has amplified disinformation theories  
24 such as Ukraine interfering in the 2016 election?

25 MR. KENT: I am familiar that he has made such

1 allegations, yes.

2 MR. SCHRAM: And that he has made the allegation that  
3 Hunter Biden's position on Burisma impacted U.S. foreign  
4 policy?

5 MR. KENT: I'm not aware of every allegation he has  
6 made, but as I said, since I assessed him to be a liar a  
7 number of years ago I generally discount what he says.

8 MR. SCHRAM: Are you aware that after Mr. Telizhenko  
9 began promoting his conspiracy theory about Ukraine election  
10 interference that he met with Chairman Johnson on or about  
11 July 15, 2019?

12 MR. KENT: I'm not aware of that.

13 MR. SCHRAM: Are you aware that days after the  
14 announcement of the impeachment inquiry, Chairmen Johnson  
15 and Grassley wrote a letter to Attorney General Barr  
16 regarding, quote, "brazen efforts by the Democratic National  
17 Committee and Hillary Clinton campaign to use the government  
18 of Ukraine to undermine the Trump campaign," and that letter  
19 relied on Andrii Telizhenko as the source?

20 MR. KENT: I'm not aware of that. I have not read that  
21 letter.

22 MR. SCHRAM: Let's--Roy, do you have presenter  
23 authorities?

24 MR. AWABDEH: Yes.

25 MR. SCHRAM: So let's mark that letter as Exhibit A.

1 [Kent Exhibit A was marked for  
2 identification.]

3 MR. SCHRAM: Mr. Kent, please take as much time as you  
4 would like to review it.

5 MR. HARTMAN: I'm sorry. Is this the letter that was  
6 sent last night?

7 MR. SCHRAM: Yes.

8 MR. HARTMAN: I'm sorry. Tell us the date of that one  
9 again.

10 MR. SCHRAM: September 27, 2019. And majority staff  
11 should have been provided to you as well, I believe, in  
12 previous communication.

13 MR. HARTMAN: Are you calling this Exhibit 6 or Exhibit  
14 A?

15 MR. SCHRAM: Exhibit A.

16 MR. HARTMAN: Thank you.

17 [Pause.]

18 MR. SCHRAM: Please just let me know when you've had a  
19 moment to review it.

20 [Pause.]

21 MR. KENT: It's a long letter with a lot to unpack. Do  
22 you have a specific question?

23 MR. SCHRAM: Sure. You'll note that the block quote in  
24 that letter is from Mr. Telizhenko, and that the Chairman  
25 relied on that quote, alleging brazen efforts by the

1 Democratic National Committee and Hillary Clinton campaign  
2 to use the government of Ukraine. You've testified that Mr.  
3 Telizhenko is a liar. I'll just ask the question directly.  
4 Did the government of Ukraine work with the Democratic Party  
5 to interfere in the 2016 election?

6 MR. KENT: I have no knowledge and information to  
7 suggest that the government of Ukraine worked with a  
8 campaign, no.

9 MR. SCHRAM: Is it in the Russian interest to promote  
10 that narrative?

11 MR. KENT: It is in the Russian interest to distract us  
12 from their ow actions, yes.

13 MR. SCHRAM: Can you elaborate?

14 MR. KENT: Well, I think I would, at this point,  
15 reference what Fiona Hill testified to, because she was the  
16 National Intelligence Officer for Russia and was in much  
17 better position to do so. And what she said in her  
18 testimony, and I quote, "The Russians thrive on  
19 misinformation and disinformation, and I want to say that's  
20 that I, Fiona Hill, went into the administration when asked  
21 by General Flynn, we are in perils of democracy because  
22 other people are interfering here. The Russians were who  
23 attacked us in 2016, and now they're writing the script for  
24 others to do the same," end quote.

25 MR. SCHRAM: And in your view, is Mr. Telizhenko

1 reading from that script?

2 MR. KENT: I have no knowledge or information to  
3 suggest that he is carrying out a plan from Moscow.

4 MR. SCHRAM: His statement block-quoted in the letter  
5 from the Chairmen, is that not consistent with the  
6 disinformation that you just quoted Ms. Hill raising concern  
7 about?

8 MR. KENT: It may be consistent but that doesn't mean  
9 that it is directed.

10 MR. SCHRAM: Sure. My question is not limited to  
11 whether or not it is directed, but certainly advocating the  
12 same message as Mr. Telizhenko has here, advocating it to  
13 Members of the U.S. Senate, where it has then been block-  
14 quoted and put into a letter to the Attorney General, that's  
15 certainly an amplification of that message, whether or not  
16 it is directed. Correct?

17 MR. KENT: I would repeat my admonition and advice to  
18 members of the Committee that I made in my opening  
19 statement, that we should be very careful about relying on  
20 any information coming from Ukrainians who are seeking to  
21 attack or provide information about U.S. persons, programs,  
22 and policies.

23 MR. SCHRAM: Understood.

24 This letter also says, quote, "new information,"  
25 unquote, has surfaced that raises question, quote, "conflict

1 with Biden's narrative," unquote, that his actions in  
2 Ukraine had nothing to do with his son's connection to  
3 Burisma. Roy, if you don't mind scrolling to that place in  
4 the letter.

5 [Pause.]

6 MR. SCHRAM: It's on the bottom of page 3.

7 So just, yeah, directing your attention to the last  
8 full paragraph, "The article also reports that Ukrainian  
9 prosecutors have unsuccessfully been trying to get  
10 information to Justice Department officials since the summer  
11 of 2018, possibly including 'hundreds of pages of never-  
12 released memos and documents... [that] conflict with Biden's  
13 narrative' that his actions in Ukraine had nothing to do  
14 with his son's connections to Burisma."

15 Are you aware of any new information that raises  
16 questions with respect to the conduct of Vice President  
17 Biden in advancing the foreign policy of the United States  
18 with respect to Ukraine?

19 MR. KENT: I am not aware of any such information.

20 MR. SCHRAM: Should we be concerned that promoting that  
21 narrative without merit could amplify Russian disinformation  
22 efforts aimed at impacting the 2020 presidential election?

23 MR. KENT: Since we don't know if such information  
24 exists or what the alleged information is, I would not  
25 comment on that. I would just say that I note that the

1 article being described is by John Solomon, and John Solomon  
2 participated in a campaign of lies and smears in the spring  
3 of 2019, that was used as a predicate trigger to dismiss our  
4 ambassador, Ambassador Yovanovitch. So I think Mr.  
5 Solomon's credibility on the topic of Ukraine is very low,  
6 and, in fact, the articles that were written in The Hill,  
7 The Hill did an investigation and distanced themselves from  
8 his reporting and removed it from their website.

9 MR. SCHRAM: Do you have a view with respect to the  
10 purpose of Solomon's reporting?

11 MR. KENT: I do not.

12 MR. SCHRAM: Only of its consequence. Do you have a  
13 view of its consequence?

14 MR. KENT: When I have read his reportings about  
15 Ukraine I have seen lack of facts and assertions that are  
16 not backed up by facts.

17 MR. SCHRAM: And did Solomon's reporting, along with  
18 the statements of Mr. Telizhenko that the Chairmen have  
19 relied on to both amplify the narrative that Ukraine  
20 interfered in the 2016 election and that the policy pursued  
21 by Vice President Biden in Ukraine was corrupt?

22 MR. KENT: I would not recommend anybody rely on the  
23 views of Telizhenko and Solomon to make an assessment about  
24 our policy or actions in Ukraine.

25 MR. SCHRAM: I'd like to turn your attention to another

1 letter, written by the Chairmen. I'd like to mark it as  
2 Exhibit B. It is a November 6, 2019, letter to Secretary  
3 Pompeo, that requests the release of documents related to  
4 Hunter Biden and Burisma.

5 [Kent Exhibit B was marked for  
6 identification.]

7 MR. SCHRAM: I have provided a copy of that letter to  
8 your counsel. Please take as long as you want to  
9 familiarize yourself with it.

10 [Pause.]

11 MR. HARTMAN: Zack, I assume you understand it's a  
12 five-page, single-spaced letter. It's going to take a  
13 little time to digest it.

14 MR. SCHRAM: Sure. Take your time.

15 [Pause.]

16 MR. SCHRAM: Mr. Kent, I bring this one to your  
17 attention just to help establish the timeline. I won't ask  
18 you direct questions about the contents, so keep that in  
19 mind as you review it.

20 [Pause.]

21 MR. SCHRAM: So the point is just to show you that this  
22 is a letter in early November, again advancing the theory  
23 that the Vice President's actions in Ukraine were corrupt,  
24 was followed by a letter on November 21, 2019, that I'll  
25 mark as Exhibit C, which has also been provided to your

1 counsel.

2 [Kent Exhibit C was marked for  
3 identification.]

4 MR. KENT: So no question about the November 6th letter  
5 you're just bringing--

6 MR. SCHRAM: No question about the content. I just  
7 want you to have the full context as we move forward.

8 So with respect to this letter, Mr. Kent, I will again  
9 ask you about the sources of the information relied on to  
10 advance the narrative that you testified today for which  
11 there is no evidence to support. The second full paragraph  
12 starts with the words "According to Andrii Telizhenko," and  
13 you've testified extensively with respect to his credibility  
14 and that he is a liar. And the vast majority of the  
15 articles relied on in the footnotes of this letter, if you  
16 turn your attention to the first footnote, who is the author  
17 of the article that this letter relies on?

18 MR. KENT: The articles by John Solomon in The Hill.

19 MR. SCHRAM: So this is another example of the letters  
20 that, from the basis of this investigation relying on  
21 information from Andrii Telizhenko, who you testified is a  
22 known liar, and relying almost entirely on the reporting of  
23 John Solomon, which you have also just testified to as a  
24 known liar and his reporting has been discredited.

25 MR. KENT: I think the way I--I did not call Solomon a

1 liar. What I said was his articles were fact-free and made  
2 assertions that were not backed by facts.

3 MR. SCHRAM: Understood.

4 MR. KENT: The other thing is that while I may know,  
5 based on, you know, character assessments by a number of  
6 people, they may be making assertions about incidents,  
7 alleged incidents about which I don't have independent and  
8 specific knowledge.

9 MR. SCHRAM: Understood.

10 Mr. Kent, are you aware that the first subpoena sought  
11 in this matter was a subpoena of Andrii Telizhenko?

12 MR. KENT: I read in the media this spring an account,  
13 a claim that he had been subpoenaed, but that doesn't mean  
14 he was subpoenaed. I read a media account this spring  
15 related to that issue, yes.

16 MR. SCHRAM: Are you aware that this--that the Chairmen  
17 scheduled a vote to authorize a subpoena of Andrii  
18 Telizhenko?

19 MR. KENT: I was not aware of that. No, sir.

20 MR. SCHRAM: Joe, I'll stop here.

21 MR. GOSHORN: Zack, this is Dan. I would like to ask  
22 two follow-up questions if I may. Is that okay? Are we  
23 good on time?

24 MR. SCHRAM: Of course. Yeah, we're good on time.

25 MR. GOSHORN: Mr. Kent, just to remind you, my name is

1 Dan Goshorn. I work with the minority staff of the Finance  
2 Committee. And I just wanted to put a little finer point on  
3 two questions, some questions Zack asked you at the  
4 beginning of the round. So he asked you whether there was  
5 any indication of--I forget exactly how he said it--of  
6 corrupt influence on Ukraine policy by Vice President Biden,  
7 and I wanted to ask something a little more specific.

8 Is there any indication that the event that led to the  
9 dismissal of charges against Zlochevsky in 2014, was the  
10 result of corrupt efforts by Biden or the U.S. Government?

11 MR. KENT: None whatsoever.

12 MR. GOSHORN: You said you spoke to Ukrainian  
13 prosecutors about the case in January 2015 or early 2015?

14 MR. KENT: February 2015, yes.

15 MR. GOSHORN: February 2015. Did they indicate that  
16 the dismissal of charges was at the direction of Vice  
17 President Biden or the U.S. Government?

18 MR. KENT: No, they did not.

19 MR. GOSHORN: Okay. That's all I have. Thank you.

20 MR. FOLIO: Mr. Kent, this is Joe Folio. So I think it  
21 was just a little under an hour with the minority. Would  
22 you like us to take a five-minute break at this point in  
23 time, or would you like the majority to start?

24 MR. KENT: So I would ask--it's now 12:25 by my watch.  
25 That was a brisk 45-minute session. Lunch? What's your

1 plans? I mean, if we're--this is generally when I usually  
2 have lunch, but I don't know. Obviously there are 20 people  
3 on the screen here. So what's your game plan for the day?

4 MR. FOLIO: Unless others object I think now is a fine  
5 time to have lunch.

6 MR. KENT: Okay. What time would you then propose we  
7 make sure we're back online?

8 MR. FOLIO: I don't know if folks are wandering out.  
9 Is noon too soon? Is 1:00 too soon? Perhaps we should say  
10 1:15? We'll start back at 1:15?

11 MR. KENT: One, 1:15, whichever. Give us the time.

12 MR. HARTMAN: Give us the time.

13 MR. GOSHORN: Let's say 1:15.

14 MR. FOLIO: Okay. One o'clock it is.

15 MR. GOSHORN: No. 1:15.

16 MR. KENT: If we start at 1 we end earlier. I'm in  
17 favor of ending early. So 1 works for me, but there are 20  
18 people online.

19 MR. HARTMAN: We'll be back at 1 but we'll see everyone  
20 else at 1:15.

21 MR. SACRIPANTI: Although I hesitate to do it I'm  
22 inclined to think we may sign off and sign back on, because  
23 I'm not sure if the mic-muting mechanisms are--

24 MR. FOLIO: Will is strongly advising against that.

25 MR. HARTMAN: All right. We'll go to another room.

1 MR. FOLIO: All right. Thank you. See you in a bit.

2 [Recess.]

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1 MR. KENT: No.

2 MR. FOLIO: Do you know Elisabeth Zentos, a State  
3 Department employee who was on detail to National Security  
4 Council staff?

5 MR. KENT: I do know her, yes.

6 MR. FOLIO: Were you aware that she attended at least  
7 one meeting at the White House with Andrii Telizhenko?

8 MR. KENT: I read so in the media, yes.

9 MR. FOLIO: Are you aware that she met Mr. Telizhenko  
10 for coffee or drinks at least a half a dozen times outside  
11 of the White House?

12 MR. KENT: I--we're probably talking about a period of  
13 time when I was at--if you want to give me the time frame--  
14 how about this. When was this? Because I presume I may  
15 have been in Kiev as opposed to Washington, but the answer  
16 is no.

17 MR. FOLIO: And with regard to the letter from Chairman  
18 Johnson and Chairman Grassley, that the minority displayed  
19 for you, I would first like to point out that what Mr.  
20 Schram was reading into the record was not Chairman Grassley  
21 or Chairman Johnson talking about their interactions with  
22 Mr. Telizhenko but rather referring to reporting that quoted  
23 Mr. Telizhenko. And similar to that, I'd like to enter into  
24 the record what we will identify as Exhibit 6, and I will  
25 ask Will to put this on the screen.

1 [Kent Exhibit No. 6 was marked  
2 for identification.]

3 MR. FOLIO: This is a Politico article written by  
4 Kenneth Vogel and David Stern on January 11, 2017. The  
5 title of the article is "Ukrainian efforts to sabotage Trump  
6 backfire." Before we turn to the article, Mr. Kent, my  
7 question for you is, were you aware that Mr. Telizhenko had  
8 contact while he was at the Ukrainian Embassy with a DNC  
9 contractor by the name of Alexandra Chalupa?

10 MR. KENT: Steve Castor, the minority counsel, asked me  
11 extensive questions about this article. The answer is I was  
12 not aware--I was not aware of his claims and I don't know  
13 what--as I've said, Telizhenko is a documented liar. Just  
14 because he claims something doesn't mean it's true. But I  
15 was not aware that he claimed that he had met with her, no.

16 MR. FOLIO: I'm going to ask Will to please scroll to  
17 the second page of this article, third paragraph, beginning  
18 "A Ukrainian."

19 MR. HARTMAN: If I can just, just for one second, I'm  
20 trying to find a copy of this article in what you've given  
21 us, and maybe I'm missing it.

22 MR. FOLIO: I can email you. One second.

23 [Pause.]

24 MR. FOLIO: I'd just like to highlight a few parts of  
25 this article, and then one question for you at the end, Mr.

1 Kent.

2 So if you can scroll up please, Will.

3 So that first paragraph at the top reads, on page 2 of  
4 the article, "A Ukrainian-American operative who was  
5 consulting for the Democratic National Committee met with  
6 top officials in the Ukrainian Embassy in Washington in an  
7 effort to expose ties between Trump, top campaign aide Paul  
8 Manafort and Russia, according to people with direct  
9 knowledge of the situation."

10 Will, will you please just scroll down to the fourth  
11 page, the paragraph beginning "Manafort's work."

12 This paragraph reads, "Manafort's work for Yanukovich  
13 caught the attention of a veteran Democratic operative named  
14 Alexandra Chalupa, who had worked in the White House Office  
15 of Public Liaison during the Clinton administration.  
16 Chalupa went on to work as a staffer, then as a consultant  
17 for the Democratic National Committee. The DNC paid her  
18 \$412,000 from 2004 to June of 2016, according to Federal  
19 Election Commission records, though she was also paid by  
20 other clients during this time, including Democratic  
21 campaigns and the DNC's arm for engaging expatriate  
22 Democrats around the world."

23 Will, if you will please scroll to the fifth page, the  
24 paragraph beginning "She said."

25 "She said she shared her concern with Ukraine's

1 ambassador to the U.S., Valeriy Chaly, and one of his top  
2 aides, Oksana Shulyar, during a March 2016 meeting at the  
3 Ukrainian Embassy."

4       Skipping down, the article continues, "That all started  
5 to change four days after Chalupa's meeting at the Embassy,  
6 when nit was reported that Trump had in fact hired Manafort,  
7 suggesting that Chalupa may have been on to something. She  
8 quickly found herself in high demand. The day after  
9 Manafort's hiring was revealed, she briefed the DNC's  
10 communications staff on Manafort, Trump, and their ties to  
11 Russia, according to an operative familiar with the  
12 situation.

13       "A former DNC staffer described the exchange as a 'an  
14 informal conversation,' saying 'briefing' makes it sound way  
15 too formal,' and adding, 'We were not directing nor driving  
16 her work on this.' Yet, the former DNC staffer and the  
17 operative familiar with the situation agreed with the DNC's  
18 encouragement, Chalupa asked Embassy staff to try to arrange  
19 an interview in which Poroshenko might discuss Manafort's  
20 ties to Yanukovych.

21       "While the embassy declined that request, officials  
22 there became 'helpful' in Chalupa's efforts, she said,  
23 explaining that she traded information and leads with them.  
24 'If I asked a question, they would provide guidance, or if  
25 there was someone I needed to follow up with.' But she

1 stressed, 'There were no documents given, nothing like  
2 that.'"

3 Mr. Kent, I'll just first note that these are not  
4 statements of Andrii Telizhenko. These are statements of  
5 Ms. Chalupa. Some might actually call them admissions. Do  
6 you find it odd that an employee of the Democratic National  
7 Committee is knocking on foreign embassy doors during a  
8 presidential election, asking for help?

9 MR. KENT: I'm going to decline to answer that  
10 question. It is irrelevant to the purpose of our  
11 conversation here. And I have no position to make any  
12 judgment on it whatsoever.

13 MR. FOLIO: Scroll down to page 7 please, Will, the  
14 paragraph beginning, "Chalupa confirmed."

15 I'll just read this paragraph. "Chalupa confirmed  
16 that, a week after Manafort's hiring was announced, she  
17 discussed the possibility of a congressional investigation  
18 with a foreign policy legislative assistant in the office of  
19 Rep. Marcy Kaptur, who co-chairs the Congressional Ukrainian  
20 Caucus. But, Chalupa said, 'It didn't go anywhere.'

21 "Asked about the effort, the Kaptur legislative  
22 assistant called it a 'touchy subject' in an internal email  
23 to colleagues that was accidentally forwarded to Politico."

24 Page 8, Will, please, the paragraph beginning, "In the  
25 email."

1            "In the email, which was sent in early May to then-DNC  
2 communications director Luis Miranda, Chalupa noted that she  
3 had extended an invitation to the Library of Congress forum  
4 to veteran Washington investigative reporter Michael  
5 Isikoff. Two days before the event, he had published a  
6 story for Yahoo News revealing the unraveling of a \$26  
7 million deal with Manafort and a Russian oligarch related to  
8 a telecommunications venture in Ukraine. And Chalupa wrote  
9 in the email she'd been 'working with for the past few  
10 weeks' with Isikoff 'and connected him to the Ukrainians' at  
11 the event."

12            To the next paragraph, Chalupa says she "further  
13 indicated in her hacked May email to the DNC that she had  
14 additional sensitive information about Manafort that she  
15 intended to share 'offline' with Miranda and DNCN research  
16 director Lauren Dillon, including 'a big Trump component you  
17 and Lauren need to be aware of that will hit in the next few  
18 weeks and something I'm working on you should be aware of.'"

19            Mr. Kent, so just to recap, with regard to Mr.  
20 Telizhenko, he had contact with DNC operatives who were  
21 actively seeking foreign assistance in the 2016 election.  
22 He had meetings at the White House, had several off-campus  
23 meetings with National Security Council staff, and he worked  
24 for 13 months for Democratic consulting firm, Blue Star  
25 Strategies, that was lobbying the U.S. Government at the

1 highest levels. And I think you said you were unaware of  
2 all three, and I just want to make sure that's correct;  
3 right?

4 MR. KENT: I was aware that he was working at the  
5 Ukrainian Embassy. I met him in the basement, as I  
6 testified. I was not aware of his activities prior to his  
7 return to Ukraine, when he did seek to meet with me, and on  
8 the advice of our political section I declined to do so.

9 MR. FOLIO: Okay. I'm going to turn the questioning  
10 over to my colleague, Scott Wittman, who is going to address  
11 the USAID program, market program, with you. Thank you.

12 MR. WITTMANN: Hi, Mr. Kent. My name is Scott  
13 Wittmann. Thank you for your time today.

14 Let's go to Exhibit 7. The Bates numbers for this  
15 exhibit are 472 to 478.

16 [Kent Exhibit No. 7 was marked  
17 for identification.]

18 MR. WITTMANN: And, Mr. Kent, just let me know whenever  
19 you're ready.

20 MR. KENT: I have the document in front of me.

21 MR. WITTMANN: I'm sorry. I'm just working on my audio  
22 over here. Did you say that you're ready?

23 MR. KENT: I have the document in front of me, yes.

24 MR. WITTMANN: Okay. On Bates 473, please Will, you  
25 respond to an earlier email chain that we talked about

1 previously. This is August 13, 2016. You changed the  
2 subject line of the previous email to read "USAID  
3 Cooperation with Burisma "Cornovol allegations) - should we  
4 have a policy of avoiding cooperation with the morally  
5 compromised?"

6 Did you view the U.S. cooperation with Burisma as  
7 "cooperation with the morally compromised"?

8 MR. KENT: I changed the subject line in two respects.  
9 Again, this was a Saturday morning, sorry, afternoon, so I  
10 said non response until Monday. And then I was asking a  
11 question to multiple members of multiple sections in the  
12 Embassy, as a matter of principle about our engagement. And  
13 if you read through, I reference a series of companies,  
14 media properties, talk about their ownership, and lay out  
15 some of the issues that we, as what's known as a country  
16 team--whether that's the public affairs section that deals  
17 with media, our USAID section, our law enforcements section,  
18 our FBI representative, our DOJ representative--there are a  
19 wide range of individuals that--it's a difficult issue in  
20 countries where media ownership is oftentimes by oligarchs  
21 or companies don't necessarily have a clear beneficial owner  
22 known to everyone.

23 And so I wanted to introduce this topic for discussion  
24 at our next staff meeting, which occurred the next week. So  
25 I introduced the subject in a question that was not

1 specifically related to Burisma, because we had an  
2 allegation that we had not yet sorted. And then if you  
3 notice, I seek counsel from parts of the Embassy that, at  
4 that point, would have had perhaps more direct knowledge. I  
5 ask our economic section specifically how, in the past, how  
6 had we treated Burisma. And then the wider collective to  
7 talk about how we dealt with companies that were owned by  
8 known corrupt individuals. I gave a citation from my  
9 experience in Thailand prior.

10 MR. WITTMANN: Understood. At the time you sent this  
11 email, before you received those responses, did you view  
12 U.S. cooperation with Burisma as cooperation with the  
13 morally compromised?

14 MR. KENT: As soon as I learned of the connection, in  
15 my own mind I was planning on eventually reaching where we  
16 reached after four or five days of deliberation, which is to  
17 end the cooperation. That said, as a leader of a team, it's  
18 better--and actually wise--to seek everybody's input before  
19 a final decision. So that is why I asked for people's views  
20 and why we waited until a meeting where we could discuss it  
21 I person, when the decision to suspend the program was  
22 taken.

23 MR. WITTMANN: You wrote, quote, "The proliferation of  
24 Ukrainian companies clearly, and not so clearly,  
25 owned/controlled by odious oligarchs or those who outright

1 stole assets and absconded, like Zlochevsky, is likely a  
2 long one." What did you mean by "odious oligarchs"?

3 MR. KENT: That is, in shorthand, alliteratively  
4 describing the economic power, political structure of  
5 Ukraine for much of the last three decades. People who  
6 enrich themselves largely by stealing state assets or  
7 monetizing access to cash flows controlled by state  
8 enterprises. Those are the so-called oligarchs. And many  
9 of them then left. Like Zlochevsky at the time, to the best  
10 of my knowledge, was in Monaco. The list of such people is  
11 quite long in Ukraine, and so that was what I meant by that.

12 MR. WITTMANN: Sure. And just to be clear, did you  
13 consider Mr. Zlochevsky an odious oligarch?

14 MR. KENT: I did.

15 MR. WITTMANN: And was he one of those examples who  
16 outright stole assets and absconded?

17 MR. KENT: Well, he awarded himself gas exploration  
18 licenses when he was the minister controlling the issuance  
19 of those licenses. He was engaged in what we decided,  
20 determined, was money-laundering, and he left to Monaco. So  
21 that's the abscond.

22 MR. WITTMANN: Understood. In the email you also  
23 wrote, "There is, however, a moral hazard associated with  
24 publicly associating/promoting our assistance projects with  
25 companies/individuals seen in Ukrainian society as

1 corrupt/compromised." Did you believe there was a moral  
2 hazard if the U.S. collaborated with Burisma?

3 MR. KENT: I did, and ultimately, as I testified, and  
4 also as, I think, other emails show, that was the primary  
5 concern I had with any sort of public-private partnership.  
6 And promoting clean energy, which is part of the U.S. policy  
7 agenda in Ukraine, there was a moral hazard association.

8 MR. WITTMANN: In this email you also wrote, quote,  
9 "For ECON, how have we traditionally treated/engaged  
10 Burisma, given the Zlochevsky connection, but also perhaps  
11 U.S. involvement beyond Hunter Biden," end quote. What is  
12 ECON?

13 MR. KENT: Economic section of the Embassy.

14 MR. WITTMANN: Okay. And did ECON or any of your  
15 colleagues respond to this question?

16 MR. KENT: I believe there are other emails that were  
17 provided to the Committees that include responses subsequent  
18 to 3:26 on Saturday, August 15th.

19 MR. WITTMANN: You mentioned that you had continued  
20 conversations about this topic. Was ECON involved in those  
21 conversations?

22 MR. KENT: They were, and as I said in my opening  
23 statement, those that had an understanding of the concerns  
24 about Burisma and Zlochevsky, including Ambassador Pyatt,  
25 the economic section and I, and we shared our concerns with

1 others, including people in the Embassy who may not have  
2 known the background, and as this whole exchange goes, in  
3 August 2016, the summer of 2016, what I and the ECON section  
4 knew was not widely shared by managers at USAID initially  
5 until we shared our concerns.

6 MR. WITTMANN: I want to turn it over to my colleague,  
7 Brian Downey. Mr. Downey, is your mic on?

8 MR. DOWNEY: Yeah. Thanks, Scott. Mr. Kent, following  
9 up on Mr. Wittmann's questions on the MERP, is this the  
10 program that you eventually shut down or scuttled?

11 MR. KENT: To be clear, I shut down the public-private  
12 partnership awarding of clean energy-related prizes. The  
13 Municipal Energy Reform Project, which is a--was a USAID  
14 energy-related project, that continued. But the minor  
15 public-private partnership awarding process, in conjunction  
16 with Burisma, that ended.

17 MR. DOWNEY: So on either of those two issues, on the  
18 public-private award issue and the MERP, that, as you just  
19 said continued, did you raise any of these concerns outside  
20 of Embassy Kiev?

21 MR. KENT: To my mind there was no need to. Honestly,  
22 I don't know the answer of whether that internal Embassy  
23 communication was sent back to Washington. Given the large  
24 amount of assistance that was going to Ukraine, when you  
25 have, get down to program implementation, that is an issue

1 largely done at the Embassy country team level.

2 MR. DOWNEY: Understood. Was there any discussion from  
3 your desk or ECON or anyone in Kiev that concerns that are  
4 put forth by yourself and others on the USAID and the  
5 public-private rewards program, that these two issues maybe  
6 should be sent to the State Department Inspector General's  
7 Office or the USAID's Inspector General's Office for review?

8 MR. KENT: We made an executive decision to end a  
9 program that had not been initiated by USAID but by an  
10 implementer who was implementing a program, a sectoral  
11 program. They had wide latitude to move forward on the ways  
12 and activities to achieve the purposes of the program  
13 itself, but when USAID management, mission management in  
14 Kiev and the Embassy leadership, were made aware of a  
15 specific element of the activity, there was enough directed  
16 authority within the USAID mission that they were able to  
17 tell the implementer, "Shut this down. This isn't going to  
18 happen," and that was the end of it.

19 MR. DOWNEY: You're speaking about the public-private  
20 rewards, or MERP?

21 MR. KENT: I'm talking about the public-private  
22 rewards, which I think, according to this email, involved a  
23 total prize of \$7,500 in awards that were being provided by  
24 Burisma. It did not involve, I think somewhere here it  
25 says, U.S. Government resources. We felt that we ended an

1 issue to avoid the potential of moral hazard for the Embassy  
2 and USAID.

3 MR. DOWNEY: So specifically on the MERP issue,  
4 yourself and others at the Embassy at Kiev did not raise  
5 concerns with the Inspector General for the State Department  
6 nor the Inspector General for the USAID?

7 MR. KENT: I don't see--I'm not sure what the grounds  
8 of your questioning are. There was no conduct by a member  
9 of USAID or the State Department involved.

10 MR. DOWNEY: But the party that was involved in the MOU  
11 was Burisma, no?

12 MR. KENT: The two parties to the MOU were Burisma and  
13 the implementer. That's the USAID word for contractor,  
14 something research associate. So that explains why the  
15 acting Mission Director, initially when I asked the  
16 question, was not aware of any activity, and when he  
17 probably sent an information request to all the  
18 implementers, then he learned that there was one activity.

19 MR. DOWNEY: Understood. Scott, I'll send it back to  
20 you. Thank you.

21 MR. WITTMANN: Thank you, Mr. Downey. I'm going to  
22 turn it over now to Josh.

23 MR. FLYNN-BROWN: Mr. Kent, can you hear me okay?

24 MR. KENT: I can.

25 MR. FLYNN-BROWN: Great. So just a couple of quick

1 follow-up questions here. I just to be clear about your  
2 testimony today. Do you agree that Burisma has a reputation  
3 for engaging in corrupt activity?

4 MR. KENT: I think that--to be clear, my knowledge was  
5 that Mykola Zlochevsky was a minister engaged in corrupt  
6 activity as minister. Burisma had a reputation for not  
7 being a clean corporate player in the gas sector.

8 MR. FLYNN-BROWN: So you would agree that its owner has  
9 a reputation for engaging in corrupt activity, Burisma's  
10 owner?

11 MR. KENT: That is what I have testified to, yes.

12 MR. FLYNN-BROWN: Thank you. Hunter Biden had no  
13 particular expertise in Ukraine prior to working on  
14 Burisma's board. He had no particular expertise in natural  
15 gas. Yet he was paid approximately \$80,000 a month to be on  
16 the board. He was paid that sum while his father was the  
17 public face of the Obama administration's Ukraine policy and  
18 when Burisma was under investigation.

19 In light of Burisma and its owner's reputation for  
20 corruption, and the fact this company was under  
21 investigation by Ukrainian authorities at the time Biden was  
22 on the board--Hunter Biden was on the board--do you agree  
23 that it appears Burisma hired Hunter Biden in an attempt to  
24 inoculate them from political and legal risk?

25 MR. KENT: I have no information to suggest that, and

1 as I testified under oath last fall, that's a question you  
2 would need to ask Mr. Zlochevsky, why they hired people.

3 MR. FLYNN-BROWN: If you were advising Hunter Biden,  
4 would you have advised him against becoming a board member  
5 for Burisma while his father was involved in the Obama  
6 administration's Ukraine policy?

7 MR. KENT: I would have advised any American not to get  
8 on the board of Zlochevsky's company.

9 MR. FLYNN-BROWN: Do you view his board membership as  
10 creating a potential conflict of interest in light of his  
11 father's role with Ukraine policy?

12 MR. KENT: I have testified that it would create the  
13 perception of a conflict of interest, yes.

14 MR. FLYNN-BROWN: And Mr. Kent, are you aware of any  
15 other corrupt activities relating to Zlochevsky's companies  
16 other than Burisma, or is your knowledge based simply  
17 squared with Burisma?

18 MR. KENT: As I have testified and just said several  
19 minutes ago, our focus was on his corrupt acts as minister  
20 when he abused the office to award national gas exploration  
21 contracts to companies that he controlled through shell  
22 companies.

23 MR. FLYNN-BROWN: Did the company Brociti Investments,  
24 B as in bravo-r-o-c-i-t-I, ever come up?

25 MR. KENT: This is when I have to say that I was an

1 executive in the Embassy. I was not the energy officer and  
2 I do not have a chart of all the shell companies that may  
3 have been part of Burisma Holdings. So I cannot answer that  
4 question.

5 MR. WITTMANN: Thank you, Josh. We are going to turn  
6 to Exhibit 8. This is Bates numbers 505 to 508.

7 [Kent Exhibit No. 8 was marked  
8 for identification.]

9 MR. WITTMANN: And whenever you're ready, Mr. Kent.

10 MR. KENT: I have it in front of me.

11 MR. WITTMANN: Okay. Specifically on page number 506--  
12 Will, if you don't mind?--this is an email dated August 31,  
13 2016. In this email chain, you asked your colleagues with  
14 regards to potentially co-branding USAID and Burisma how  
15 much, quote, "'know your partner' due diligence was done  
16 before this public-private partnership was launched in the  
17 spring? Zlochevsky as a corrupt mal actor was a 2014 story;  
18 his control of Burisma and the very sticky wicket of the  
19 Hunter Biden connection on Burisma's board was circulating  
20 in 2015."

21 Mr. Kent, why did you ask your colleague about the  
22 extent to which they did due diligence regarding Burisma  
23 before the launch of a partnership?

24 MR. KENT: I think as has been clear from my testimony  
25 I didn't think the U.S. Government should have anything to

1 do with Zlochevsky or Burisma. So having reached that  
2 conclusion in February of 2015, a year and a half later I  
3 was dealing with a part of the Embassy that had not  
4 seemingly been aware of concerns. And so I was asking them  
5 again, without forming a snap judgment, whether they had  
6 done any review before moving forward with the project.

7 MR. WITTMANN: To what extent had they done review?

8 MR. KENT: I think this gets into how we administer  
9 programs, keeping in mind we had hundreds of millions of  
10 dollars of assistance, and, you know, on any given day if  
11 dozens at least multiple events happening. We're talking  
12 about one specific USAID program, not their only program.  
13 It was something that was being implemented by a contractor,  
14 which had reached an agreement to do some sort of public-  
15 private partnership with a Ukrainian company.

16 So then my question was to the USAID direct hire  
17 managers whether, when this event, whenever it was, which I  
18 didn't know exactly when they might have started it, had  
19 anyone on the USAID staff done due diligence. That was my  
20 question to them.

21 MR. WITTMANN: Do you recall if they had done--did they  
22 tell you whether or not they had conducted due diligence?

23 MR. KENT: Looking at date timestamp, I sent this email  
24 at 10 p.m., which gives you an indication of the sort of  
25 hours that we did. My substantive emails oftentimes went to

1 staff past midnight. You won't be shocked to learn that I  
2 oftentimes did not get any reponses until our in-face, face-  
3 to-face morning meeting the next day.

4       So this particular exchange, the responses came from  
5 the economic section the next morning at 7:00, and then the  
6 top email you see that I sent was reference before the  
7 morning meeting, that if I didn't raise it I asked a  
8 colleague to make sure that we raised it so that the meeting  
9 would not conclude without us having had the conversation  
10 and the decision being made.

11       MR. WITTMANN: Okay. Going back to that same email on  
12 Bates 506, why was Hunter Biden's connection on Burisma's  
13 board a, quote, "very stickit wicket"--I'm sorry, a "very  
14 sticky wicket"?

15       MR. KENT: I think all U.S. Government officials need  
16 to be aware of all the factors involved in an issue. This  
17 was an issue that I felt needed to be shut down, but I also  
18 wanted people to be aware. Even as we were going to shut  
19 down something, that there was the possibility of names  
20 being shared.

21       You have other emails indicating that the Embassy's  
22 economic section had heard that Burisma, the word going  
23 around town, was saying they had a relationship with the  
24 Embassy, and I just wanted to make sure everyone understood  
25 names that might be tossed around by people but that we were

1 moving forward with the decision that was appropriate.

2 MR. WITTMANN: What made Hunter Biden's role on the  
3 board something that you needed to flag for your colleagues,  
4 and describe it as a "very sticky wicket"?

5 MR. KENT: As I've testified, and as I alerted the  
6 staff of the Office of the Vice President in February 2015,  
7 my concern had been that there could be the perception of a  
8 possible conflict of interest.

9 MR. WITTMANN: So that concern was raised in February  
10 2015. This is now August 2016. You still have that  
11 concern?

12 MR. KENT: Well, that is why I was raising it with  
13 people working for USAID who evidently did not have a  
14 situational awareness of this--the reputation of Burisma.  
15 And I was--again, I'm an info sharer. I think people need  
16 to know everything that they're dealing with. And this was  
17 still moving to within 12 hours of a decision to pull the  
18 plug on the program.

19 MR. WITTMANN: Was there a reason why you only  
20 mentioned Hunter Biden's connection on the board and not  
21 other board members in this email, for the situational  
22 awareness of your colleagues?

23 MR. KENT: At the time, at this point, in August of  
24 2016, the one American that I was aware of that was on the  
25 board was Hunter Biden. I believe at the time I wouldn't

1 have been aware that Aleksander Kwasniewski, the former  
2 President of Poland, was on the board, but he's a Pole.

3 MR. WITTMANN: When did you become aware of Cofer Black  
4 joining Burisma's board?

5 MR. KENT: I believe he joined in 2017, but I couldn't  
6 be certain of that.

7 MR. WITTMANN: Did the fact that Hunter Biden's father  
8 was Vice President at the time factor into your decision to  
9 raise this particular point to your colleagues, calling  
10 Hunter Biden's connection on the board a "very sticky  
11 wicket"?

12 MR. KENT: What are you trying to ask me? I was within  
13 12 hours of shutting down the program. Hunter Biden's  
14 position on the board had zero impact on the proper  
15 decisions from the U.S. Embassy. I'm not clear on what  
16 question you're trying to ask.

17 MR. WITTMANN: The question is the fact that Hunter  
18 Biden's father was Vice President at the time, did that  
19 factor into your decision to raise the point to your  
20 colleagues, in, you know, as you mentioned, open sharing,  
21 trying to get as much information and situational awareness  
22 out on the table, did that factor into the fact that you  
23 flagged for your colleagues that Hunter Biden had a  
24 connection to Burisma's board and that that was a "very  
25 sticky wicket"?

1 MR. KENT: Hunter Biden was on the board but that was  
2 irrelevant to the decision that the U.S. Embassy needed to  
3 take, which was to break any relationship between a USAID  
4 clean energy promotion program and Burisma.

5 MR. WITTMANN: In that same email, you asked ECON  
6 whether there would be a, quote, "guilt by association risk  
7 with public partnering with Burisma." What did you mean by  
8 "guilt by association"?

9 MR. KENT: As I mentioned before, it was the economic  
10 section that had shared the Ukrainian business community,  
11 and particularly those working in energy, still felt that  
12 Burisma was not a clean player in the section, and for the  
13 Embassy to partner with a company with that reputation would  
14 potentially undermine the perceptions of the integrity of  
15 our promotion of certain principles and policies.

16 MR. WITTMANN: In that same email you wrote, quote,  
17 "There is always the Washington Post test of foreign service  
18 decision-making, as in would we want an article on the front  
19 page of The Washington Post (and in this the Kiev Post, and  
20 on Facebook page of"--and my apologies of I mispronounce  
21 these names--"of Sergiy Leschenko and Mustafa Nayyem)  
22 commenting about this public private partnership with  
23 Burisma, the link to Hunter Biden, and the link to  
24 Zlochevsky, who almost certainly paid off the PGO in  
25 December 2014 (I had the then First deputy Prosecutor

1 General Danylenko tell me the bribe was \$7 million) to have  
2 the case against him closed and his \$23 million in assets  
3 frozen in the UK unfrozen?"

4 Were you concerned about a potential story about a  
5 partnership with Burisma that would touch on the issues you  
6 listed, including the link to Hunter Biden and Zlochevsky?

7 MR. KENT: No, but it's known as "The Washington Post  
8 sniff test." They tell us that in our first week of the  
9 foreign service, and it's a guide, if you have any question  
10 about what something you're going to do makes sense, if your  
11 own moral compass has some wiggle room, thinking about what  
12 you would do if it was written about on the front page of  
13 The Washington Post is a good way to remind you of whether  
14 it would make sense or not. That whole paragraph is a  
15 rhetorical question.

16 MR. WITTMANN: Understood. So what was the concern  
17 about a potential article? What specifically were you  
18 concerned that an article would say, that wouldn't pass that  
19 test, or that would potentially make you feel like this  
20 isn't going to pass the test?

21 MR. KENT: At this point I've already made the decision  
22 that we're going to shut this down, but I'm asking the other  
23 elements of the Embassy to weigh in, in case there are other  
24 views. In the next paragraph it says "PA"--that's public  
25 affairs. So I brought in USAID, which oversees the

1 management of the program; the economic section, which is  
2 responsible for contacts to business and has their ears to  
3 the ground; public affairs section, which is responsible for  
4 public messaging; and our legal and law enforcement  
5 community, which was involved in trying to return the frozen  
6 assets. So this was a whole-of-country team, whole-of-U.S.  
7 Government discussion, at least giving people the  
8 opportunity to weigh in before the next morning, when I was  
9 going to shut down the program.

10 MR. WITTMANN: Understood, and this might go into what  
11 you just said. But from your perspective, would a U.S.  
12 partnership with Burisma pass The Washington Post test of  
13 foreign policy decision-making?

14 MR. KENT: It didn't pass my sniff test and that's why  
15 I shut it down.

16 MR. WITTMANN: On 505, Bates number 505 of this same  
17 document, or this same record, in further discussions about  
18 the potential partnership between MERP and Burisma, on  
19 September 1, 2016, your colleague wrote, quote, "USG  
20 cooperation on the project would make us look bad," end  
21 quote.

22 Why would U.S. cooperation on the project with Burisma  
23 make us look bad?

24 MR. KENT: This is the moral hazard argument I have  
25 described, "moral hazard" being my term. The term of the

1 offer would just look bad.

2 MR. WITTMANN: Your colleague also wrote, "not to  
3 mention the MPs on the Energy Committee and others would  
4 wonder how we speak about anticorruption but work with those  
5 that were associated with corrupt practices."

6 Why would this have been a problem for U.S.  
7 anticorruption measures in Ukraine, this potential  
8 association?

9 MR. KENT: As I have said several times in the last 10  
10 minutes, Burisma did not have a good reputation among those  
11 working in the energy sector. We were promoting not just  
12 clean energy from a technical perspective but  
13 anticorruption, clean corporate business practices. And if  
14 we were going to walk the walk, we needed to model that  
15 behavior we were advocating.

16 MR. WITTMANN: In that same September 1, 2016, email  
17 chain, one of your colleagues wrote that, quote, "There is a  
18 clear link between the company and its primary owner.  
19 Zlochevsky is working very hard to clean up and 'Westernize'  
20 his image by hiring D.C. lobbyists and stacking the board  
21 with prominent people. From the rumors that we hear in the  
22 energy sector there is no sense that Burisma has changed how  
23 it conducts its business. We have also heard that they have  
24 used the U.S. Embassy name to try to influence business  
25 transactions. Hard to prove but certainly concerning."

1 Did you agree with this individual's assertion that  
2 Zlochevsky was trying to clean up his image by stacking  
3 Burisma's board with prominent people?

4 MR. KENT: I took on board his overall advice, which  
5 you didn't read his last sentence: "I fall on the side of  
6 not having anything to do with a company to avoid  
7 undermining our broader efforts to promote transparency and  
8 anticorruption."

9 MR. WITTMANN: Yes.

10 MR. KENT: So that, again, that's--this is the--his  
11 counsel fell in line with my own assessments, and that's why  
12 I responded, "Thanks." And if hadn't raised it the next  
13 morning or later that morning that he should, you know,  
14 bring it up and I would follow through.

15 MR. WITTMANN: Gotcha. With this specific part of this  
16 counsel relating to the assertion that Zlochevsky was trying  
17 to clean up his image by stacking the board with prominent  
18 people, did you, at the time, agree with that?

19 MR. KENT: Well, as I said, at the time I knew that  
20 Hunter Biden and the former President of Poland was on the  
21 board. I would count President Kwasniewski as someone with  
22 prominent name recognition, yes.

23 MR. WITTMANN: How did having those individuals on  
24 Burisma's board assist Zlochevsky and his company?

25 MR. KENT: You would have to ask him. It's obviously

1 made no difference in how the U.S. Government and the U.S.  
2 Embassy addressed the issues related to both the company and  
3 the owner.

4 MR. WITTMANN: I'm going to turn it over to Josh.

5 MR. FLYNN-BROWN: Regarding your answer there, I mean,  
6 do you have any opinion on that, given your expertise with  
7 being in Ukraine? I mean, what kind of effect it would have  
8 on the ground and in political circles, with respect to them  
9 being on the board?

10 MR. KENT: What do you mean?

11 MR. FLYNN-BROWN: Well, you have politically connected  
12 individuals. I'm wondering if you have, based on your  
13 expertise, being in Ukraine, in the field, would them being  
14 on the board have any effect on the politics within that  
15 country or even in the United States?

16 MR. KENT: I can only speak to what I know, and that  
17 was how the U.S. Embassy looked at both owner and company,  
18 and I think I've been quite explicit, repeatedly, about  
19 that, especially in the last half hour.

20 MR. WITTMANN: Thank you, Josh. Going back to this  
21 email, how did you evaluate your colleague's assessment  
22 that, quote, "There is no sense that Burisma has changed how  
23 it conducts business"?

24 MR. KENT: Well, again, I'm not the energy sector  
25 expert, was not at the Embassy, nor was I even the economics

1 counsel--head of the whole economics--but this was the  
2 assessment and advice of those whose job it was to have that  
3 more granular knowledge. And so I relied on the assessment  
4 of the Embassy staff who were the experts in the matter.

5 MR. WITTMANN: What about the suggestion that Burisma,  
6 quote, "used the U.S. Embassy name to try and influence  
7 business transactions." Were you aware of this?

8 MR. KENT: I had not heard that, but that, in fact, was  
9 one of the driving factors that, when I learned of this  
10 program I shut it down.

11 MR. WITTMANN: Did you--were you provided more  
12 information and details about how--about this allegation?

13 MR. KENT: What do you mean?

14 MR. WITTMANN: Well, you said this was--that that fact  
15 was one of the reasons that led to you wanting to take the  
16 program down. I'm just wondering if you were given more  
17 information about the suggestion that Burisma used the U.S.  
18 Embassy name.

19 MR. KENT: No. I mean, this is an email--I'm just  
20 looking at the timing. It was--he was writing the email  
21 half an hour before the morning meeting started. So again,  
22 I had already made up my mind we were going to shut it down,  
23 so this is not a matter of me reading this email that was  
24 sent at 7:46 a.m. before an 8:15 morning meeting that I  
25 would change my view. I agreed with the advice, and we then

1 moved forward with the decision.

2 MR. WITTMANN: So just so I understand, other than  
3 what's in this email, were there any other discussions about  
4 instances where Burisma was using the U.S. Embassy name to  
5 try to influence business transactions?

6 MR. KENT: Well, the only connection was this program.  
7 Based on the article that we were talking about half an hour  
8 ago, the allegations from the member of Parliament, she  
9 claimed that there was a reference on the Burisma website,  
10 and that when she raised it they removed it from the  
11 website. So that, we've got in the documents that they, I  
12 guess, had posted something on the website specifically  
13 about this public-private partnership, and that's the  
14 program that I shut down.

15 So I did not--as far as I know, that's what I had asked  
16 the initial question, that's what started this entire email  
17 exchange. I was asking all parts of the Embassy, where  
18 there any contacts, where there any programs? It turned out  
19 there was one and we shut it down.

20 MR. WITTMANN: Besides that article and this email,  
21 were there any other--did you have any other information or  
22 received any other briefings about Burisma using the U.S.  
23 Embassy name to try to influence business transactions?

24 MR. KENT: I did not have any additional information,  
25 and again, given our position on Burisma and Zlochevsky it

1 was hard to believe that people would take that at face  
2 value.

3 MR. WITTMANN: Okay. At the top of this email, on  
4 September 1, 2016, you wrote, "My intent is to pull the plug  
5 on this program so no further harm is done." This, to  
6 confirm, was this referencing to end the partnership when  
7 you said "pulling the plug"?

8 MR. KENT: The public-private contest with awards being  
9 given for good ideas on clean energy. Correct.

10 MR. WITTMANN: What was the harm that you made  
11 reference to? You said "no further harm done." Were you  
12 referencing harm that had been done?

13 MR. KENT: I think the--I meant by the association that  
14 the previous year, as it turned out, in 2015, there had been  
15 a set of awards given by this program implementer, that had  
16 been funded by Burisma. They were planning another set of  
17 awards, a second set of awards in mid-September, so two  
18 weeks after this discussion. We pulled the plug and there  
19 was no second. So there had been something that was done in  
20 2015, that none of us were aware of. When it became--when  
21 we were made aware of those facts, and that there was a plan  
22 for a second round of awards, that had been announced, we  
23 pulled the plug and it just did not happen.

24 MR. WITTMANN: And when you said that the events that  
25 occurred in 2015 "none of us were aware of it," do you mean

1 that you weren't aware of it, or that other people at the  
2 Embassy weren't aware of it? I mean, people must have had  
3 awareness of it. Correct?

4 MR. KENT: Well, I'm not making an assertion of every  
5 individual who was in the chain of command. When I asked  
6 the initial question, going back to the same emails that  
7 we've been looking at the last half hour, the initial answer  
8 by the acting head of the USAID mission was he was not aware  
9 of any connection between USAID programs and Burisma. He  
10 then came back to me and said, "It turns out there is one."

11 So his first email shows that he, as a manager, did  
12 not--was not aware that there had been any connection, even  
13 though a year prior there had been this award ceremony.  
14 Again, a blip in a line of hundreds of actions being done,  
15 but we were targeting in on this one issue, again to avoid  
16 any hint of moral hazard.

17 MR. WITTMANN: So this email was sent on September 1,  
18 2016. When did you, as you said, pull the plug on the  
19 partnership? When did that actually occur?

20 MR. KENT: We had a staff meeting that morning and I  
21 made very clear, if you will, what the military calls  
22 "commander intent" that this needed to stop. And at this  
23 point we had a new Mission Director at USAID who had just  
24 arrived, and so she carried that decision, so-called front  
25 office decision, forward, and they cancelled the award

1 ceremony.

2 MR. WITTMANN: When you issued the order to pull the  
3 plug, did you receive any pushback from anybody in your  
4 office or any other office?

5 MR. KENT: I think one of the other documents that's  
6 been provided to the Committee indicates that there was one  
7 USAID official who thought that cancelling an announced  
8 ceremony and contest carried a potential cost, and maybe it  
9 would be good if we just didn't do it in the future. And I  
10 disagreed and said, no, we're going to pull the plug now.

11 MR. WITTMANN: At the staff meeting, when you made the  
12 announcement, did you receive any pushback, or did anyone  
13 else raise concerns?

14 MR. KENT: No.

15 MR. WITTMANN: Understood.

16 I'd like to turn it back over to Mr. Downey.

17 MR. DOWNEY: Mr. Kent, you've met with Vice President  
18 Biden's staff on Ukraine issues. Correct?

19 MR. KENT: I'm trying to think. Almost all of our  
20 communication was over sort of secure coms when I was at the  
21 Embassy in Kiev. I am not actually sure if and when we  
22 would have met in person.

23 So I communicated but I'm actually--I was not present  
24 when Vice President Biden came in a visit in December of  
25 2015. Ambassador Pyatt allowed me to go home for

1 Thanksgiving. My family was still in the U.S. So I was not  
2 in country when Biden and his staff visited, so my contact  
3 and exchanges with his staff would have been done by email  
4 and telephone.

5 MR. DOWNEY: So you raised concerns to the Vice  
6 President's staff. I think you said that earlier in this  
7 interview. Is that correct?

8 MR. KENT: That's correct. That was a phone call in  
9 February 2015.

10 MR. DOWNEY: Do you know what day on February it  
11 occurred?

12 MR. KENT: I do not know.

13 MR. DOWNEY: Can you be more specific on what you  
14 raised concerns about?

15 MR. KENT: As I testified both last fall and I  
16 mentioned earlier today, it came subsequent to my meeting on  
17 February 3rd. I departed country back to the United States  
18 on February 14th, so it would have been in that period of  
19 time. It was a conversation in the Ambassador's office, and  
20 I suspect somebody from the Vice President's staff called  
21 out to ask a question to the Ambassador. He was not there,  
22 so I walked across the hall and I answered the phone and  
23 answered the question about some other issue. And since I  
24 had somebody who worked for the Vice President, whose name  
25 honestly I cannot remember because it was not scheduled and

1 they weren't looking to talk to me, I said, "By the way,  
2 since I have you on the phone, I've got an issue that I  
3 would like to raise with you." And so that was the context,  
4 in a conversation that happened somewhere between February  
5 4th and February 14th, 2015.

6 MR. DOWNEY: So what did you raise to this Vice  
7 President's staffer? What issues?

8 MR. KENT: I said that I had learned that Hunter Biden  
9 had been appointed to a board of this company, that I had  
10 just raised U.S. concerns about the owner of the company,  
11 who we believed had been engaged in money-laundering, and,  
12 as I've testified, I thought that created the perception of  
13 a possible conflict of interest.

14 MR. DOWNEY: On this phone call with the Vice  
15 President's staffer, this occurred in February 2015.  
16 Correct?

17 MR. KENT: Correct.

18 MR. DOWNEY: When did you learn about the alleged bribe  
19 that Yarema's PGO took?

20 MR. KENT: I arrived in Kiev in mid to late January.  
21 At that point there had been no contact at a high level  
22 between the Embassy staff and the Prosecutor General's  
23 Office, subsequent to us learning the money-laundering case  
24 against Zlochevsky had been closed. And so the Department  
25 of Justice resident legal advisor asked if I would request a

1 meeting at a high level to raise this issue. And that is  
2 what Ambassadors and Deputy Chiefs of Mission do.

3 So we--he could not get a meeting so we requested and  
4 got and got an appointment with the First Deputy Prosecutor  
5 General, number two prosecutor in the country at the time,  
6 Anatoliy Danylenko.

7 MR. DOWNEY: So my question is, did you tell the  
8 staffer for Vice President Biden about the alleged bribe to  
9 Yarema connected to Zlochevsky?

10 MR. KENT: I can't remember--to be perfectly honest, I  
11 don't remember who I spoke to. I don't know why he or she  
12 called out to talk to Ambassador Pyatt, and I don't know  
13 what else I may have told them and all the context. I'm  
14 sure I gave context for why I was raising it and how I  
15 learned it. But the bottom line was, I said I believe that  
16 this creates the perception of a potential conflict of  
17 interest, given Vice President Biden's role and his very  
18 strong advocacy for anticorruption action, and that I  
19 thought that someone needed to talk to Hunter Biden, and he  
20 should be stepped down from the board of Burisma.

21 MR. DOWNEY: As you--I don't want to mischaracterize  
22 your testimony, Mr. Kent, but you did tell us, I believe  
23 that you have the--you overshare things, which always is the  
24 good and bad, depending on what the issue is. But something  
25 about Yarema's office accepting a bribe connected to

1 Zlochevsky, I would just assume, talking with you for how  
2 many hours now, that you may, probably would bring that up  
3 with people higher up the food chain our government. That  
4 information, and that allegation seems to be fairly serious.

5 MR. KENT: Well, it is serious, and I had the second-  
6 highest Deputy--Prosecutor General in the country. When I  
7 asked the question, "How much was the bribe and who took  
8 it?" he laughed and said, "That's exactly what President  
9 Poroshenko asked us last week." And I said, "So what did  
10 you tell the President?" and he said, "Seven million dollars  
11 and last May, before we came into office." And I said,  
12 "Nice try, but the letter that someone--some prosecutor in  
13 your office wrote was signed in late December, six months  
14 after you all came into office."

15 Now this is a conversation on February 3rd. Within the  
16 week, the entire team was dismissed, and on February 10th,  
17 President Poroshenko appointed Viktor Shokin as Prosecutor  
18 General. So I was speaking to somebody who, within a week,  
19 was out of office, and so was Yarema, and so was Yarema's  
20 special assistant, Andre Telizhenko.

21 MR. DOWNEY: Understood. I know our time is ending  
22 here so real quick, Mr. Kent, as soon as you learned about  
23 this allegation of the \$7 million Yarema bribe, did you  
24 report that to your resident legal advisor and, in essence,  
25 the Federal Bureau of Investigation?

1 MR. KENT: The resident legal advisor was in the  
2 meeting with me and was the note-taker.

3 MR. DOWNEY: Do you know if the resident legal advisor  
4 got that information to the FBI after your meeting?

5 MR. KENT: Yes.

6 MR. DOWNEY: Thank you.

7 MR. KENT: Are we getting close to our break, maybe?  
8 It's been an hour.

9 MR. FOLIO: I think this is the end of our hour so it's  
10 a perfect time for a break. My watch says 2:17. Should we  
11 take 8 minutes and be back at 2:25? Does that work for  
12 everyone?

13 MR. KENT: Sure.

14 MR. FOLIO: Zach, good for you?

15 MR. SCHRAM: Yes.

16 [Recess.]

17 MR. SCHRAM: Mr. Kent, are you ready?

18 MR. KENT: I am ready.

19 MR. SCHRAM: Mr. Kent, we have just spent a significant  
20 amount of time, or the majority has, but a significant  
21 amount of time delving into what you described as a  
22 perception of a possible conflict of interest. And the  
23 Committees spent a rather significant amount of resources  
24 and taxpayer money during a pandemic to investigate, again,  
25 a perception of a potential conflict of interest, not to

1 mention the resources, sir, that you have incurred, both  
2 with respect to your time and your money. I'm sure  
3 testifying before Congress was not your favorite part of  
4 your portfolio, something you unfortunately had to do a lot  
5 of lately.

6       And not to belabor it, but this keeps coming up, you  
7 testified in the last hour that Hunter Biden's role on the  
8 board had zero impact on the decision of the Embassy, and  
9 that Hunter Biden's role was irrelevant. And you know that  
10 because you were one of the decision-makers. Correct?

11       MR. KENT: That's correct.

12       MR. SCHRAM: And you advised the Embassy on the  
13 decisions with respect to America's policy in Ukraine. You  
14 executed the decisions with respect to America's foreign  
15 policy in the Ukraine. You advised the Ambassador, and you  
16 worked with the Vice President's Office as well on those  
17 decisions.

18       MR. KENT: That's correct.

19       MR. SCHRAM: And again, on that basis, you know, for a  
20 fact, that Hunter Biden's role on the board had zero impact  
21 on the decisions of the Embassy.

22       MR. KENT: To the best of my experience and knowledge  
23 that is correct.

24       MR. SCHRAM: Over the last hour, the majority tried to  
25 use evidence that you shut down a public-private partnership

1 with Burisma as evidence of--they tried to use the fact that  
2 you shut down the public-private partnership with Burisma as  
3 some kind of evidence of corruption. Not just corruption of  
4 Burisma but the majority is trying to impute that corruption  
5 to Hunter Biden and to the Vice President. And they have  
6 portrayed your shutting it down as reflecting something  
7 nefarious about the Vice President.

8       But you were working in the foreign service as a part  
9 of the Obama administration, a career foreign service  
10 official--officer, rather. As part of the Obama  
11 administration, you were working for an Ambassador who was  
12 appointed by the President, and working on foreign policy,  
13 as you've testified, that involved the Vice President's  
14 Office, and you shut down that program, the public-private  
15 partnership with Burisma. Correct?

16       MR. KENT: Correct. We made that decision, as we were  
17 just discussing, at the beginning of September 2016.

18       MR. SCHRAM: And remind me, what was the value of  
19 Burisma's contribution to that program?

20       MR. KENT: I believe one of the emails indicates the  
21 prizes that they had proposed for the two years totaled  
22 \$7,500.

23       MR. SCHRAM: So over \$7,500. You intervened and shut  
24 it down because you didn't want the U.S. mission in Ukraine,  
25 or United States generally, to be associated with Burisma.

1 MR. KENT: Correct.

2 MR. SCHRAM: You acted with integrity to prevent the  
3 perception of official favor for Burisma.

4 MR. KENT: I acted to prevent the perception that the  
5 U.S. Government had anything to do with Burisma.

6 MR. SCHRAM: This is a clear demonstration of your  
7 integrity and of the integrity of our foreign service and of  
8 the integrity of the Obama foreign policy--Obama  
9 administration foreign policy.

10 Now one concern of the Ranking Members, and it's  
11 regrettable that you've been drawn into this, is that this  
12 is transparently a partisan political attack on the  
13 Democratic candidate for President just months before an  
14 election. And I regret that you, a distinguished,  
15 nonpartisan foreign service officer, has to sit through it.

16 But the concern of the Ranking Members is not just that  
17 this is playing politics, but it's that this has put the  
18 Committee in a position of advancing a Russian  
19 disinformation effort that is part of an attack on the  
20 integrity of our election, and it is one that advances  
21 Russian interests, in Ukraine and in Europe, against the  
22 national security interests of the United States.

23 And I'm not asking for you to comment on that. Just  
24 expressing that I regret that you've been drawn into it.

25 But to that point, I would like to refer you now to

1 letters that were provided to your counsel last night, and  
2 that were provided to the majority previously. And I  
3 believe we are on Exhibit D. Marking as Exhibit D, a letter  
4 from Ranking Members Peters, Wyden, and Feinstein to  
5 Chairman Graham, Johnson, and Grassley.

6 [Kent Exhibit D was marked for  
7 identification.]

8 MR. SCHRAM: I'll give you a moment, Roy, to pull it  
9 up, and, Mr. Kent, to review it.

10 MR. KENT: December 17, 2019?

11 MR. SCHRAM: Correct. And in the second full  
12 paragraph, the Ranking Members write, "Allegations of  
13 Ukrainian interference in the 2016 election are part of a  
14 Russian disinformation campaign. Dr. Fiona Hill, the former  
15 head of Russia and Ukraine policy for the National Security  
16 Council and formerly the top analyst for Russia at the  
17 National Intelligence Council, testified to Congress, with  
18 regard to these allegations: 'This is a fictional narrative  
19 that is being perpetrated and propagated by the Russian  
20 security services themselves.'

21 "And Assistant Secretary of State George Kent testified  
22 that there is no evidence 'whatsoever' of wrongdoing by Vice  
23 President Biden. Consequently, we do not see a basis for an  
24 investigation by three major Senate Committees into these  
25 discredited allegations and believe that doing so could

1 advance the Russian disinformation and election interference  
2 efforts. We should not facilitate foreign interference in  
3 our 2020 election."

4 Marking as Exhibit E, a letter dated February 27, 2020,  
5 also provided to your counsel and previously to the  
6 majority, from Ranking Members Peters to Chairman Johnson.

7 [Kent Exhibit E was marked for  
8 identification.]

9 MR. SCHRAM: This letter was written in response to the  
10 Chairman's notice of a subpoena of Andrii Telizhenko, who  
11 you testified as being a known liar, and Senator Peters  
12 wrote, "I warned when this investigation began that '[w]e  
13 should not facilitate foreign interference in our 2020  
14 election.' I remain concerned that the United States Senate  
15 and this Committee could be used to further disinformation  
16 efforts by Russian or other actors. Because these efforts  
17 pose a threat to our national security, I have asked for the  
18 Committee to receive defensive briefings, specifically  
19 regarding Mr. Telizhenko, from relevant intelligence  
20 community and law enforcement officials, to ensure the  
21 Senate is not allowed to advance any disinformation  
22 campaigns."

23 Marking as Exhibit F, a letter of March 17, 2020, from  
24 Ranking Member Peters to Chairman Johnson, with respect to  
25 another subpoena by Senator Johnson, for the same

1 information sought in the aborted attempt to subpoena Andrii  
2 Telizhenko, this time of Blue Star Strategies.

3 [Kent Exhibit F was marked for  
4 identification.]

5 MR. SCHRAM: And in the second full paragraph, Ranking  
6 Member Peters writes, "The subpoena request is inappropriate  
7 for a number of reasons: you have not fully pursued  
8 voluntary production of these records; you have not  
9 scheduled the intelligence briefings you agreed to; you risk  
10 continuing to amplify foreign election interference efforts;  
11 and your own public comments acknowledge that your  
12 investigation is at least partially targeted at influencing  
13 voters, 'if I were a Democrat primary voter, I'd want these  
14 questions satisfactorily answered before I cast my final  
15 vote.'"

16 I will note that the questions in this case have been  
17 satisfactorily answered, by you today, by you in your  
18 previous testimony, by the public record, and by the  
19 documents in the Committee's possession.

20 Marking as Exhibit G, a letter from Ranking Members  
21 Peters and Wyden to Chairmen Johnson and Grassley, on July  
22 16, 2020.

23 [Kent Exhibit G was marked for  
24 identification.]

25 MR. SCHRAM: This is now roughly seven months after the

1 first--the Ranking Members formally raised concerns about  
2 the disinformation effort. It is also months after the  
3 original staff-level and then member-level requests for  
4 briefings on these matters.

5       The first paragraph states, "We reiterate our request  
6 for a briefing from Members of our Committees from the  
7 Federal Bureau of Investigation's Foreign Influence Task  
8 Force and relevant Intelligence Community members related to  
9 your ongoing investigation. Two weeks ago, The Washington  
10 Post reported that 'a Ukrainian lawmaker who was once  
11 affiliated with a pro-Russian political party and has with  
12 Giuliani released 10 edited snippets of what appeared to be  
13 Joe Biden's official vice presidential phone calls in 2016,  
14 with Petro Poroshenko.'" The Post reported that this  
15 lawmaker 'studied under the KGB in Moscow in the early  
16 1990s' and that these efforts suggest a new push by foreign  
17 forces to sway American voters in the run-up to the 2020  
18 election.'"

19       Mr. Kent, although it doesn't name him, can you tell by  
20 the description who is referred to in that paragraph?

21       MR. KENT: The released snippets of conversation were  
22 released at a series of press conferences in May, June, and  
23 July, led by Andrii Derkach, and flanked by a corrupt former  
24 deputy prosecutor named Konstantyn Kulyk.

25       MR. SCHRAM: With respect to the May press conference

1 you just referenced, are you aware that it occurred on May  
2 19th?

3 MR. KENT: May 19th, May 20th. I would have probably  
4 said the 20th, but if you have reason to believe it was the  
5 19th, I accept that.

6 MR. SCHRAM: In fact, it was hours before the  
7 Committee's markup of the Blue Star subpoena. The tapes  
8 were released hours before the Committee was called to vote  
9 on advancing a subpoena for unauthorizing a subpoena tied to  
10 the very allegations related to the information sought from  
11 Blue Star Strategies and promoted by Mr. Derkach and Mr.  
12 Telizhenko and others.

13 Mr. Kent, one more letter I'd like to bring to your  
14 attention. So among the documents in the Committee's  
15 possession and the documents that the majority have referred  
16 to in the development of its investigation, are documents  
17 from the Executive Office of the President during the Obama  
18 administration. Now those documents were requested by the  
19 Chairman from the Archivist of the United States, but they  
20 had not been scheduled for release, so they required the  
21 consent of the former Obama administration for their  
22 release.

23 Marking as Exhibit, I believe we're on H, a March 13,  
24 2020, letter from Anita Decker Breckenridge, records  
25 representative to President Obama.

1 [Kent Exhibit H was marked for  
2 identification.]

3 MR. SCHRAM: And drawing your attention to the third  
4 full paragraph. The letter states, "President Obama has  
5 consistently supported the nonpartisan administration of  
6 presidential records and the commitment to transparency core  
7 to NARA's mission. However, the current request is not a  
8 proper use of the limited NARA exceptions. It arises out of  
9 efforts by some, actively supported by Russia, to shift the  
10 blame for Russian interference in the 2016 election to  
11 Ukraine," and it refers, again, to Ms. Hill--or Dr. Hill's,  
12 I believe, testimony, quote, "'Based on the questions I have  
13 heard, some of you on this committee appear to believe that  
14 Russia and its security services did not conduct a campaign  
15 against our country and that, perhaps, somehow, for some  
16 reason, Ukraine did. This is a fictional narrative that is  
17 being perpetrated and propagated by the Russian security  
18 services themselves.'"

19 It goes on, referencing David Hale testimony before the  
20 Senate Foreign Relations Committee on December 3, 2019,  
21 quote, "I have seen no credible evidence about these  
22 allegations of Ukraine."

23 The final paragraph of the letter, in its decision to  
24 permit this Committee to have access to the records, states,  
25 "Nevertheless, in the interest of countering the

1 misinformation campaign underlying this request, we are  
2 prepared on this occasion to provide the Committees access  
3 to the records responsive to this request. In doing so, we  
4 emphasize that abuse of the special access process strikes  
5 at the heart of presidential confidentiality interests and  
6 undermines the statutory framework and norms that govern  
7 access to presidential records."

8       Mr. Kent, based on everything that we've discussed so  
9 far concerning the sources of information behind some of the  
10 requests, particularly Mr. Telizhenko, and the concerns  
11 raised by the Ranking Members with respect to  
12 disinformation, do you think that a briefing from the FBI's  
13 Foreign Influence Task Force and the relevant members of the  
14 intelligence community would be helpful for members of the  
15 Committee to understand the relevant national security  
16 risks?

17       MR. KENT: I do have to say, I'm very respectful of  
18 congressional prerogatives to obtain information. I'm here  
19 voluntary because I recognize oversight responsibilities.  
20 But I'm not here to critique how members conduct their  
21 inquiries. I will leave that to the two parties, the  
22 majority and the minority, to discuss. I'm here as a fact  
23 witness, so I will stay on that point of view.

24       MR. SCHRAM: Very diplomatic. As not just a fact  
25 witness, you're also an expert witness. Is that correct?

1 You're an expert on Ukraine and Russia's disinformation  
2 efforts in the region.

3 MR. KENT: I think many people would say that I have  
4 deep experience in those areas, yes.

5 MR. SCHRAM: So based on your knowledge of Russian  
6 disinformation efforts in the region, would it be prudent,  
7 for anyone pursuing these issues, to obtain the relevant  
8 information and to receive briefings from the experts in the  
9 administration, in this administration, with respect to  
10 foreign influence?

11 MR. KENT: Again, I can testify to policy and to the  
12 facts as I have known them. As I suggested in my opening  
13 comments, certain issues related to the intelligence  
14 community should be addressed in other venues.

15 MR. SCHRAM: The letter marked as Exhibit I--pardon me,  
16 is it G, the July 16th? Yes--refers to The Post's  
17 reporting. So I'd like to enter that article that it refers  
18 to into the record. This is a July 1, 2020, article in The  
19 Washington Post, entitled "Hunt for Biden tapes in Ukraine  
20 by Trump allies revives prospect of foreign interference."  
21 And again, this was provided to your counsel in advance of  
22 the interview and to the majority.

23 And it's a long article and we won't read the whole  
24 thing. Just very quickly, on page 2 of the PDF, the second  
25 paragraph--that's the paragraph that was cited in the

1 letter, as you said it refers to Mr. Derkach.

2       On the following page, page 3, the last paragraph--and  
3 you mentioned former Mayor Giuliani and part of his efforts.  
4 That paragraph states, "Both Giuliani and Lev Parnas, a  
5 Ukrainian American businessman who served as his fixer in  
6 Ukraine, confirmed that they sought tapes of Biden last  
7 year. Giuliani said he received assistance in his pursuit  
8 from a source within the State Department, who he claimed  
9 pointed him to the dates of certain conversations between  
10 Biden and Poroshenko by accessing an official U.S.  
11 Government archive."

12       Mr. Kent, you are currently an official at the State  
13 Department. Is that an appropriate action by a State  
14 Department employee, to access a U.S. official government  
15 archive to provide information to outside parties, in this  
16 case a personal representative of the President and a  
17 Ukrainian American businessman?

18       MR. KENT: I would say that when I read that in The  
19 Washington Post it raised my eyebrows. I have no knowledge  
20 that that actually occurred. I've talked about Ukrainians  
21 who don't always tell the truth. I will just say that I  
22 don't know that that happened, but I would say that that  
23 would be a matter for diplomatic security to investigate in  
24 the State Department. But I have no basis to judge whether  
25 it happened. I certainly would not have provided that

1 information.

2 MR. SCHRAM: Understood. If true, why would that be  
3 something that would be a matter for diplomatic security to  
4 investigate?

5 MR. KENT: It's the responsibility of diplomatic  
6 security, in terms of inappropriate provision of information  
7 in government hands.

8 MR. SCHRAM: And as described, you would regard it as  
9 inappropriate provision of government information.

10 MR. KENT: I have no factual basis to assert that it  
11 actually happened. What we have is a claim by somebody who  
12 I testified publicly last year was engaged in smear campaign  
13 full of lies against our then-Ambassador.

14 MR. SCHRAM: Moving on, on page 9 of the PDF--on page 9  
15 we learn of a number of Ukrainians who have come in this  
16 investigation. We've spoken already of Derkach. The second  
17 paragraph says, "In addition to Derkach"--but I'll start  
18 above that for context.

19 "Ukrainians with a variety of competing political and  
20 personal agendas have claimed to be releasing or publicizing  
21 the Biden taps, moves critics say align with both Russia's  
22 and Trump's interests.

23 "In addition to Derkach, they include former Ukrainian  
24 prosecutor Konstantyn Kulyk"--and who is Mr. Kulyk?

25 MR. KENT: He is what I referred to as a corrupt former

1 deputy prosecutor who appear before Derkach during the press  
2 conferences. That was he, Konstiantyn Kulyk, known to be  
3 associated and under control of Kolomoyskyi, a billionaire  
4 corrupt oligarch.

5 MR. SCHRAM: The paragraph continues, "former Ukrainian  
6 diplomat Andrii Telizhenko," who we have spoken about at  
7 length, "and the Ukrainian gas tycoon and former lawmaker  
8 Oleksandr Onyshchenko, who have all interacted with Giuliani  
9 or his associates. Some have promised more leaks are coming  
10 to help Trump later in the year."

11 Who is Mr. Onyshchenko?

12 MR. KENT: Oleksandr Onyshchenko, aka Kadyrov, which  
13 was his birth name, is a former lawmaker, and his father ran  
14 the jail system in Soviet Uzbekistan, brutally. He  
15 allegedly also had roots in the KGB system, as Derkach did,  
16 and was a classic Ukrainian politician/businessman, and he  
17 eventually fled Ukraine. And I would suggest, as you pursue  
18 intelligence briefings, that you ask about Onyshchenko,  
19 including--along with Derkach.

20 MR. SCHRAM: Thank you. I'm being reminded to enter  
21 this as an exhibit. If I haven't already said so, this will  
22 be Exhibit H--I. I am being corrected. I, Exhibit I.

23 [Kent Exhibit I was marked for  
24 identification.]

25 MR. SCHRAM: Continuing with the article, "'This summer

1 there will be more release of conversations, with full  
2 transcripts,' said Telizhenko, who said he speaks regularly  
3 with Giuliani in between aiding various Ukrainian tycoons,  
4 some of them with Russian interests. Telizhenko said he is  
5 working independently from Derkach, noting, 'I am going to  
6 release everything all together when the time is right.'

7 "Onyshchenko told The Post that the tapes that have  
8 been released are his, part of a cache he said he obtained  
9 from Poroshenko aides."

10 And I pause there to ask your view on the meaning and  
11 implication of recordings between an American Vice President  
12 and a Ukrainian President being released illicitly.

13 MR. KENT: I do not know the provenance of the selected  
14 recordings that have been released. I would say that, to  
15 the best of my knowledge from having received Britain  
16 summaries, that they would track with conversations that did  
17 happen between Vice President Biden and then-President  
18 Poroshenko.

19 I will say that I have warned an advisor to President  
20 Zelensky, because President Zelensky himself said, in his  
21 May 21st press conference, that they understood that more  
22 tapes would be coming out, that even if the tapes released  
23 so far seemed to comport in the era of deep fakes that we  
24 all needed to be very careful in listening to breaking  
25 alleged tape recordings that they actually represented

1 actual conversations.

2 I would also say that Onyshchenko was an aide to  
3 Poroshenko for several years. When he left, allegedly he  
4 had been taping conversations in Poroshenko's office for a  
5 long time, and some congressional delegations--I don't know  
6 if this happened to Senator Johnson or not--but for over a  
7 year no one was allowed to wear a watch into Poroshenko's  
8 office. And the same place where we had to drop off cell  
9 phones, we had to take off watches. And so we were telling  
10 people that they needed to leave their watches in the  
11 Embassy cars, and, in fact, one time Will Hurd, the  
12 Congressman from Texas who is a former CIA officer, he  
13 collected all the Congressmen's offices and ran back down to  
14 the car so no one left their watch in the box under the  
15 control of the Ukrainian presidential staff.

16 And the reason, for over a year everyone was forced to  
17 take their watches off is because allegedly there had been  
18 tapes--Onyshchenko allegedly had made tapes wearing a luxury  
19 watch that had a taping capability of conversations that  
20 Poroshenko had made.

21 So that's just a little bit of background about taping.  
22 I would not dispute the fact that Onyshchenko may have had  
23 access to conversations with Poroshenko, and he was known to  
24 be a go-between between Poroshenko and Ukrainian politicians  
25 for several years before they had a falling out and he fled

1 the country.

2 MR. SCHRAM: Is releasing tapes of high-level  
3 conversations, in this case between a Vice President and a  
4 President, for lack of a better word, is that kosher? Is  
5 that an ordinary part of the diplomatic process?

6 MR. KENT: In my experience, both sides generally try  
7 to release a statement or summary of the conversation, but  
8 it's highly unusual to have tapes released of the actual  
9 conversation.

10 MR. SCHRAM: Do you think that represents malign  
11 efforts?

12 MR. KENT: I think the general assessment is that it  
13 was done with an intent to embarrass.

14 MR. SCHRAM: And to embarrass whom and for what--and  
15 toward what end?

16 MR. KENT: I think the campaigns, both last year,  
17 spearheaded by former Prosecutor General Lutsenko and this  
18 year, led by people like Derkach, Kulyk, and Onyshchenko  
19 have multiple targets, both Ukrainian and American.

20 MR. SCHRAM: And is one of those targets former Vice  
21 President Biden?

22 MR. KENT: That would apparently be the case, but I  
23 would add also that in the Ukrainian context the primary  
24 target recipient is probably Zelensky, but the target is  
25 Poroshenko.

1 MR. SCHRAM: Understood. Continuing in the article,  
2 "Onyshchenko told The Post that the tapes that have been  
3 released are his, part of a cache he said he obtained from  
4 Poroshenko aides.

5 "He told the Russian state news service Sputnik in late  
6 May that his lawyers and Giuliani's team had 'exchanged  
7 hundreds of emails,' and that he has handed over materials  
8 about Biden, which he said Trump's allies will make use of  
9 in the fall.

10 "'because of the coronavirus, they are waiting,'  
11 Onyshchenko told Sputnik. 'But in September, closer to the  
12 elections, they will begin to use them more.' He told The  
13 Post the materials"--I will pause here to save Joe the  
14 effort to intervene, that I am not reading this as a comment  
15 on what the Committee has or has not done, only reporting  
16 about what Onyshchenko claims.

17 Joe?

18 MR. FOLIO: Yeah. Thanks for that clarification, Zack,  
19 and when this came up previously, we just made that point  
20 because we thought it was unfair to read something into the  
21 record where we had told the minority in confidence what the  
22 answer was. I think we--our press release is now public,  
23 and because of this news and people running with it, we sort  
24 of made clear that we never requested or received that  
25 information. So that's not in the record. Thank you.

1 MR. SCHRAM: "'But in September, closer to the  
2 elections, they will begin to use them more.' He told The  
3 Post the materials were being given to the Republican-led  
4 Senate Homeland Security Committee, which is pursuing an  
5 inquiry into Biden's activities in Ukraine."

6 Mr. Kent, with respect to Andrii Derkach, I'd like to  
7 turn your attention to a document that he released, and  
8 given your descriptions of him, I think I want to be clear  
9 that by introducing this into the record we are in no way  
10 endorsing it but rather trying to expose it.

11 This is a chart. We will mark it as Exhibit J, if I  
12 can do the alphabet successfully.

13 [Kent Exhibit J was marked for  
14 identification.]

15 MR. SCHRAM: It's been provided to your counsel and  
16 provided to the majority this morning.

17 It is extremely--

18 MR. KENT: I saw it when he released it in June,  
19 because I'm on it.

20 MR. SCHRAM: That's a perfect segue. Can you tell us a  
21 bit about its release and what your impressions were?

22 MR. KENT: I think--I believe this was June--I don't  
23 know if it was the 22nd, 23rd, whenever his conference was.  
24 He held a press conference in Ukraine, flanked by  
25 Konstantyn Kulyk, the aforementioned corrupt former deputy

1 prosecutor who is allied with oligarch Kolomoyskyi. And it  
2 is Andrii Derkach's delusional chart of how, I will say  
3 informally, Joe Biden, George Soros, and George Kent control  
4 Ukraine. And I only say that with partial sarcasm, because  
5 the chart is very difficult to read, but if you see, up on  
6 the upper left-hand corner, he lists his line-up of alleged  
7 Ukrainian heroes, accusers of international corruption in  
8 Ukraine. And it starts with himself, Andrii Derkach. I'm  
9 not sure who the second person is. I don't have a version  
10 blown up.

11 MR. SCHRAM: We'll zoom in for you.

12 MR. KENT: The second person, oh, Alexander Debinski.  
13 He fits in my category of liars. He is an experienced  
14 journalist working for Kolomoyskyi, the corrupt oligarch.  
15 He, along with Telizhenko, on national TV claimed I control  
16 Ukraine by talking to the deputy foreign minister several  
17 times a week. That's absurd because there's no foreign  
18 ministry in the world that controls the country.

19 The next person is Viktor Shokin--we talked about him--  
20 Yuri Lutsenko, Konstantyn Kulyk--we talked about him--  
21 Telizhenko; Nalyvaichenko, former head of the Security  
22 Service; Volodymyr Boiko, who I think is just a blogger; and  
23 then Andriy Artemenko, another corrupt former MP who had his  
24 citizenship stripped, his Canadian citizenship. He changed  
25 his name to Andy Victor Kuchma, and he filed a FERA

1 representation form representing Andrii Derkach's interests  
2 here in the United States on July 8.

3 MR. SCHRAM: So pausing there for a moment, so I  
4 understand this correctly, this is, in Derkach's view,  
5 representing who he sees to be the good guys in Ukraine, the  
6 people who are actually pursuing corruption. Is that a  
7 fair, if somewhat juvenile, interpretation?

8 MR. KENT: That would be an interpretation of this  
9 piece of disinformation, yes.

10 MR. SCHRAM: But you disagree with that assessment.  
11 Why?

12 MR. KENT: Well, what you have on the screen there are  
13 a bunch of combination, as I describe, people who lie,  
14 people who are corrupt, people who advance Russia's  
15 interests, and some who do all three.

16 MR. SCHRAM: Switching to the other side of this  
17 document, well, pausing first in the middle, you mentioned  
18 the conspiracy theory that it's all just controlled by Vice  
19 President Biden and George Soros, this part of the chart,  
20 and then on the right side of the chart, in this green box,  
21 is Derkach's view of good guys, "Accusers of International  
22 Corruption in the USA." I'm not going to ask you to read  
23 this or go through it, but I will just point out that the  
24 first photograph is Rudy Giuliani, the second is Bill Barr,  
25 the third is Secretary of State Pompeo, and in the middle we

1 have the three chairmen leading this investigation, Chairman  
2 Graham, Chairman Johnson, and Chairman Grassley. To be more  
3 accurate, the specific investigation that you are testifying  
4 in response to is just led by Johnson and Grassley. Graham  
5 has his own and different investigations.

6 Where do you appear in this chart?

7 MR. KENT: I'm in the center as the coordinator or as  
8 the Ukrainian-Russian term "curator" of the U.S.  
9 Government's efforts to reform the Prosecutor General's  
10 Office and carry out U.S. policy in Ukraine.

11 MR. SCHRAM: And why would Mr. Derkach depict you in  
12 this fashion?

13 MR. KENT: It goes back to my role as the Senior  
14 Anticorruption Coordinator, my role in advancing  
15 anticorruption activities and rule-of-law programming. And  
16 just to point out, there are five local Ukrainian members of  
17 our staff of the Embassy in Ukraine two rows below me, and  
18 those are the local Ukrainian employees of the Embassy who'd  
19 worked directly with Ukrainian law enforcement and Ukrainian  
20 justice sector entities to forward reform policies. So in  
21 addition to three Ambassadors, me and a retired FBI agent,  
22 they've listed and named, with photos, five Ukrainians who  
23 work at our Embassy, promoting systemic institutional  
24 reform.

25 MR. KENT: The second blue column is entitled "Shokin's

1 Legal Cases." Can you help us understand what's depicted in  
2 this column?

3 MR. GOSHORN: Zack, this is Dan. I'm sorry to  
4 interrupt. Mr. Kent, when you pointed out that there were  
5 five Ukrainian nationals who worked at the Embassy, depicted  
6 on the chart, do you think their depiction on this chart,  
7 you know, endangers them?

8 MR. KENT: I was--the first email I wrote after I saw  
9 this chart was actually to them, expressing concern and  
10 asking how they were feeling about having somebody who was a  
11 member of Parliament and a known advancer of Russia's  
12 interests put their photos and names out in the public  
13 domain. Two of their names had been outed by Derkach in a  
14 press conference late last year, either in October or  
15 November, so it was not new for two of them. This was the  
16 first time that they had pictures associated with that.

17 Their spirits were high and they said they were, you  
18 know, in a way, honored to be called out by a corrupted jerk  
19 like that, and they were continuing to fight to make Ukraine  
20 a better country.

21 MR. GOSHORN: But you reached out to them because you  
22 were concerned that they were listed on this document. Is  
23 that correct?

24 MR. KENT: Correct. I mean, I think for high-ranking  
25 U.S. officials who are taking on corrupt influences, as I

1 testified last year, it's not a surprise when corrupt  
2 foreigners come after us, because we're going to after  
3 undermining their interests. It's different for, in this  
4 case, nationals who work for us to get called out by name.  
5 We have diplomatic immunity. They have to go back to their  
6 homes every night.

7       And I would point out one of the names in that box,  
8 next to Karen Greenaway, the retired FBI agent, it says  
9 "Members of the board at Shabunin's AntAC. Shabunin is the  
10 Director of the Anticorruption Center of Ukraine, and his  
11 house was torched by arson the other night, two nights ago.  
12 Fortunately, he was staying at his mother's or mother-in-  
13 law's. But he has two young kids, and someone actually  
14 burned his house down.

15       So the events of this week, if you look at the  
16 headlines from Ukraine yesterday, they were dominated by an  
17 arson attack against his house. President Zelensky actually  
18 issued a long Facebook message about this dangerous signal  
19 that was sent.

20       So Ukrainians who take on corrupt interests do bring  
21 risk to themselves and their families. So that's why I was  
22 concerned that Derkach was putting the names and faces of  
23 our local Ukrainian employees at our embassy.

24       MR. GOSHORN: Thank you for that.

25       MR. SCHRAM: Returning to the chart, Mr. Kent, can you

1 just--can you help us understand what it alleges? So the  
2 first column is Burisma. Why don't you just start there and  
3 very briefly just go through the columns.

4 MR. KENT: Okay. Several caveats here. What you're  
5 asking me to interpret is a master chart of disinformation  
6 and malign influence. So it doesn't mean anything on this  
7 chart is real. And going back to your original, or your  
8 previous quote from the article in The Washington Post of  
9 what Onyshchenko said, the master, if you will, craft of  
10 creating disinformation is you take certain information that  
11 may be true, fact that people know are true, and then you  
12 sprinkle in the disinformation. So that's the approach.

13 So the people on this chart are true, they exist, but  
14 any assertion of their roles or what they do could well be  
15 false, mixed in with the truth. And so what this is is  
16 click-bait for people who are looking for information to  
17 fill in conspiracy theories.

18 So with that context, the first column, Burisma. We've  
19 been talking about that, and it lists some of the people we  
20 talked about, other people we didn't. The guy, Andriy  
21 Kicha, I think may have been arrested this month for trying  
22 to try to give another bribe to close another case against  
23 Zlochevsky. So that's the first chart.

24 The second chart, "Shokin's Legal Cases." He wasn't  
25 fired at Biden's request. He was dismissed by the RADA, but

1 in any case we've talked through the thought process. What  
2 the U.S. did was threaten to withhold a sovereign loan  
3 guarantee.

4 MR. SCHRAM: So I understand this column, in this case  
5 Derkach is alleging that Shokin--and correct me if I'm  
6 wrong, please--Shokin was actively pursuing corruption,  
7 including corruption at Burisma, including corruption tied  
8 to Hunter Biden, and that he was fired at Vice President  
9 Biden's request. That's what Derkach is--

10 MR. KENT: I don't--yeah, I honestly--I--well, I won't  
11 say exactly how I became aware of this. Should I tell him  
12 or no?

13 MR. HARTMAN: Can we just take a quick--want to hold on  
14 for a minute?

15 MR. KENT: Yeah.

16 [Pause.]

17 MR. KENT: I'm back. Yeah, so I learned of this  
18 because of a social media Facebook post of a high school  
19 classmate of mine, and I just followed the links and found  
20 the case.

21 So again, just because Andrii Derkach put it on a piece  
22 of paper or on a chart, that's difficult to read on Google  
23 Docs, doesn't mean that it actually is true. So what he's  
24 tried to do is create a chart with lots of lines of effort,  
25 with alleged facts, some of which may be true, most of which

1 probably are not, to try to convince people that there's  
2 something there there, when there's nothing there, or  
3 there's very little there.

4       So that, you know, so it says "Shokin's Cases." Again,  
5 you've got Andrii Derkach asserting that Shokin had cases  
6 open. There are lots of, quote/unquote "investigations"  
7 that get opened in Ukraine. Oftentimes they're used to  
8 extort money from people to have them shut down again.  
9 That's why I assessed prosecutorial service as a protection  
10 racket and a self-enrichment device.

11       So I honestly don't know if there was ever a legitimate  
12 case. There may have been a case opened but I have no  
13 knowledge, no facts to assess.

14       So that's--you know, again, I don't think I should go  
15 through the individual tics because all this is is spaghetti  
16 up on the wall to see what will stick. That's a second  
17 point of effort.

18       MR. SCHRAM: And let's talk about some of the other  
19 individuals depicted here. This chart depicts Amos  
20 Hochstein. Who is Mr. Hochstein?

21       MR. KENT: Mr. Hochstein, in the Obama administration,  
22 at least the second term, was the Assistant Secretary for  
23 Energy in the State Department.

24       MR. SCHRAM: And why has he been included by Mr.  
25 Derkach?

1 MR. KENT: Honestly, I can't--again, I have assessed  
2 the whole chart as a master work in disinformation by Mr.  
3 Derkach. I honestly don't know why Mr. Derkach would  
4 include him, although I think it's well-known that  
5 Hochstein, maybe in the past, worked for Biden. They  
6 certainly have an association.

7 But there's NABU. That's the National Anticorruption  
8 Bureau. The next column is "Reforming the Prosecutor's  
9 Office." The next column is "International Technical  
10 Assistance," and, you know, as I testified in my opening  
11 statement, \$4.3 billion of appropriated assistance. Looks  
12 like Derkach may have picked and chosen a number of  
13 programs. Whether those are actual programs, actual  
14 amounts, or actual implementers, you know, that would have  
15 to be investigated. I don't know.

16 The next column, "Natfogaz," that is the state-owned  
17 gas company. When I referred to an 8 percent GDP gap loss  
18 through corruption, that was that company, Naftogaz. So I  
19 think most experts would say--are people there? I've just  
20 lost much of the pictures.

21 MR. SCHRAM: We're here.

22 MR. KENT: Okay. So after the Revolution of Dignity,  
23 probably the two greatest anticorruption achievements were  
24 having a competent, honest national bank, central bank,  
25 cleaning up the corrupt banks, and getting competent

1 management at Naftogaz and closing an 8 percent GDP hole.  
2 And just by making it break even, they basically saved 8  
3 percent of their GDP reducing theft.

4       The next one, "Domestic Government Loan Bonds," I  
5 honestly couldn't give you any more detail on that except  
6 there always are schemes--no, that's financial markets,  
7 people looking to short the market or make money off bond  
8 trading.

9       And then the last three columns, it looks like it says  
10 "International Corruption." I'm not sure what that is.  
11 You'd have to zoom in and see what the allegation is. I'm  
12 sure it's nothing actual. Then there's the "Poroshenko  
13 Tapes." That gets into what he has been releasing in drips  
14 and drabs. And then the last box says "Supervisory Boards,"  
15 and, you know, the chart I have printed out doesn't have  
16 high enough resolution to show what's there, but there may  
17 be allegations that certain people are on certain boards.

18       So that's the chart, and again, I think if you look  
19 down the other layers, what Derkach has done in the last,  
20 starting late last fall, or around the time of the  
21 impeachment hearings, he starting having press conferences,  
22 filing legal complaints, which is his right as a member of  
23 Parliament, and opening up alleged investigations, or  
24 demanding that courts and law enforcement open up  
25 investigations on programs and decisions related to these

1 lines of efforts. And I think what he has done is  
2 memorialize, in the lower parts of each column, what he has  
3 done, and suggested if people want more information they can  
4 click and find all the false additional disinformation that  
5 he's put on--he sort of populated on the Web in the last 8  
6 or 10 months.

7 So this has been a long-term disinformation,  
8 misinformation effort on the part of Mr. Derkach and his  
9 associates.

10 MR. SCHRAM: You called it disinformation. You called  
11 it misinformation. Would you also call it conspiracy  
12 theory?

13 MR. KENT: I'm not going to--I've used the terms that I  
14 feel comfortable with in how we work as diplomats. I will  
15 leave the legalese to the lawyers.

16 MR. SCHRAM: Fair enough. So we were just discussing  
17 Mr. Hochstein, and you'll note that he's included in this  
18 chart. Are you aware that he is also a witness to this  
19 investigation, that the majority has called him as a witness  
20 to this investigation?

21 MR. KENT: One of the letters that either the majority  
22 or minority entered into evidence in this hearing mentioned  
23 his name. That was the first time I read his name  
24 associated with this inquiry was today.

25 MR. SCHRAM: You'll see Victoria Nuland is on this

1 chart. Do you know who Ms. Nuland is?

2 MR. KENT: She was the former Assistant Secretary of  
3 the European Bureau, and so I, through several layers, I've  
4 reported to her during the time of her job as Assistant  
5 Secretary, yes.

6 MR. SCHRAM: And are you aware that at the Chairman's  
7 initiation, and on a party line vote, the Committee has  
8 authorized a subpoena for the testimony of Ms. Nuland  
9 related to allegations of corruption with respect to Burisma  
10 and Vice President Biden?

11 MR. KENT: That's the first I've heard of that,  
12 although in the same document that was introduced this  
13 morning that mentioned Hochstein also had her name listed.  
14 So this is all new to me. I had not been aware of that  
15 before this morning.

16 MR. SCHRAM: And you've seen that Ambassador Pyatt is  
17 also on this chart?

18 MR. KENT: Yes. I worked for him for a year and a half  
19 in Kiev. He is now our Ambassador to Greece.

20 MR. SCHRAM: And you are aware that Ambassador Pyatt  
21 has also been asked to testify by the majority with respect  
22 to this investigation?

23 MR. KENT: His name was on the letter of April 30th,  
24 that our congressional liaison provided to me.

25 MR. SCHRAM: In the last hour with the majority you

1 spent some time talking about the moral hazard of  
2 association. Would you regard it as a moral hazard to  
3 associate with Mr. Derkach?

4 MR. KENT: I would advise everyone to steer clear of  
5 Mr. Derkach, yes.

6 MR. SCHRAM: Would that include steering clear of his  
7 allegations?

8 MR. KENT: Yes.

9 MR. SCHRAM: Would you regard it as a moral hazard to  
10 associated with Mr. Telizhenko?

11 MR. KENT: Yes.

12 MR. SCHRAM: Would you advise that everyone steer clear  
13 of Mr. Telizhenko?

14 MR. KENT: I would.

15 MR. SCHRAM: And would that include his allegations?

16 MR. KENT: Again, based on my personal experience and  
17 seeing what he says and does, I don't think he is a reliable  
18 witness or interlocutor.

19 MR. SCHRAM: Would you regard it as a moral hazard to  
20 associate with Mr. Onyshchenko?

21 MR. KENT: I definitely would, yes.

22 MR. SCHRAM: And would you regard it as a moral hazard  
23 to advance his allegations?

24 MR. KENT: I would simply say anything he says cannot  
25 be considered credible and has to be considered as having

1 other motives.

2 MR. SCHRAM: Would advancing the allegations of Mr.  
3 Telizhenko, Mr. Derkach, Mr. Onyshchenko be in the United  
4 States' national interest?

5 MR. KENT: As I mentioned in my opening statement, I  
6 think all of us who take an oath to protect and defend the  
7 Constitution of the United States need to be very careful in  
8 how we treat any information or allegations that come from  
9 any of these individuals.

10 MR. SCHRAM: With that I'd like to ask Dan Goshorn if  
11 he has any questions.

12 MR. GOSHORN: Yeah. I just wanted to ask one follow-up  
13 about that chart. You don't need to pull it back up, I  
14 don't think. But just to summarize, would you say that  
15 Derkach--that his reason for creating that chart and making  
16 it public, was it to fight corruption in Ukraine or to  
17 advance his own corrupt interests?

18 MR. KENT: I do not want to try to get into the mind of  
19 Mr. Derkach. I would just say that I wouldn't treat this as  
20 a serious document, and I would treat it for what I believe  
21 it to be is a part of his campaign to try to influence  
22 perceptions of people inside Ukraine as well as in the  
23 United States.

24 MR. GOSHORN: Thank you. I've lost track of time.  
25 Where are we?

1 MR. SCHRAM: A few more minutes.

2 MR. GOSHORN: A few more? Okay.

3 MR. FOLIO: One more minute.

4 MR. GOSHORN: One more minute. Well, I have one more  
5 question. Just like in a hearing I'll ask a long question,  
6 and since I start before it ends.

7 So this morning you were asked about the provision of  
8 lethal aid to Ukraine, and can you, I guess, explain your  
9 understanding of the United States' position? And what I'm  
10 interested in knowing, in particular, about the provision of  
11 lethal aid to Ukraine is what was the position of our allies  
12 in Europe about whether that was appropriate at the time?

13 MR. KENT: I believe that Angela Merkel is on the  
14 record as having thought that provision of lethal aid was a  
15 bad idea. I also think the Secretary of State, the  
16 Secretary of Defense, the Chairman of Joint Chiefs under the  
17 Obama administration testified, when asked before Congress,  
18 their personal opinion that we should provide lethal aid.  
19 It was the position of the National Security Advisor, Susan  
20 Rice, and President Barack Obama that we should not.

21 I, along with most people that I know of in the State  
22 Department, were in favor of lethal aid during the previous  
23 administration, and endorsed the decision in the current  
24 administration to provide it.

25 MR. GOSHORN: Okay. Thank you. That's it for me, Joe.

1 MR. FOLIO: Great. Mr. Kent, we've been going for an  
2 hour. It's 3:25. Would you like to take a brief break?

3 MR. KENT: I'm actually okay now. Let me ask my two  
4 colleagues here. I would say at this point I'm ready to  
5 power through. I may have to ask for a bathroom break  
6 before we get to the end of the hour, but at this point I  
7 would say let's keep on going.

8 MR. FOLIO: Okay. Hearing no other objections, we will  
9 do that.

10 So I'm going to hand the proverbial microphone back to  
11 Mr. Wittmann. I just wanted to clarify a few points.  
12 First, we in the majority had not seen that chart until it  
13 was provided by the minority this morning, but I will note  
14 given the minority's stated concerns about disinformation it  
15 is curious that they have now formally entered it into a  
16 congressional record, along with numerous press reports and  
17 statements, numerous Ukrainians'. I think that Mr. Kent has  
18 questioned their veracity. So I think there's only one part  
19 of this investigation that's entering what people have  
20 described as disinformation into the record.

21 With regard to Mr. Telizhenko, I'm not sure if you're  
22 aware, Mr. Kent, but Chairman Johnson sought to subpoena Mr.  
23 Telizhenko's records only for the 13 months that he was  
24 working for Blue Star Strategies, which we thought, and  
25 Chairman Johnson thought was extraordinarily interesting

1 that he was working for that company that had contacts at  
2 the highest levels of the Obama administration for 13  
3 months. But there was not bipartisan support for  
4 understanding what he was doing there, and, in fact, there's  
5 been much resistance to understanding what he did for that  
6 firm without any clear explanation.

7 On the--continuing the subpoena process, so for Ms.  
8 Victoria Nuland, the Committee has not authorized a subpoena  
9 for Ms. Nuland or for anyone else with regard to the Ukraine  
10 investigation. I think Mr. Schram misspoke. The Committee  
11 has authorized a subpoena with regard to Ms. Nuland for the  
12 Russia investigation, specifically with regard to her  
13 involvement in the State Department accepting information  
14 from Christopher Steel and others that were advanced as part  
15 of the FBI investigation, Crossfire Hurricane.

16 And finally, with regard to the briefings that you were  
17 asked about, for the record, the Committee has received  
18 FBI's final guidance as to its position on what we should and  
19 should not be doing in this investigation, and the minority  
20 knows exactly where the requests for a member briefing  
21 stand.

22 And given all of that, we look forward to returning the  
23 conversation, Mr. Kent, to your emails and your policy  
24 decisions, and--

25 MR. SCHRAM: Sorry, Joe. I'm not sure I understood

1 you. You said the FBI has given us their final guidance?

2 MR. FOLIO: So, I mean, I just didn't want to make that  
3 public and I don't want to make it public in the record.  
4 But there was a request as to particular individuals,  
5 whether or not the Committee should receive documents, which  
6 have talked to them, and the FBI gave its answer to the  
7 Committee during the staff briefing. And then you and I,  
8 Zack, have both followed up with the FBI, as well as members  
9 of the intelligence community, and requested additional  
10 briefing, and I think it's clear to us what those answers  
11 are and where they stand.

12 But again--

13 MR. SCHRAM: I guess I don't agree to the last part,  
14 but neither--I don't agree that it's either final nor clear.  
15 But I agree we don't have to have this conversation on the  
16 record.

17 MR. FOLIO: And I'm going to turn it back over to Mr.  
18 Wittmann, who will return to your emails, Mr. Kent. Thank  
19 you.

20 MR. WITTMANN: Hi, Mr. Kent. We're going to go to  
21 Exhibit 9, and actually I'm going to switch my mic over.

22 MR. KENT: Can you give us a Bates number?

23 MR. WITTMANN: Happy to do that. It is Bates numbers  
24 369 to 376, and this is a long email chain, and my questions  
25 about this record are only going to be on Bates number 373.

1 And just let me know whenever you're ready, Mr. Kent.

2 [Kent Exhibit No. 9 was marked  
3 for identification.]

4 MR. KENT: I have 373 in front of me.

5 MR. WITTMANN: Okay. On August 29, 2016, you emailed  
6 John Herbst and William Taylor, a message that included a  
7 schedule regarding Mr. Yarema's visit to Washington, D.C.,  
8 in September 2016. That schedule is on 374, Bates number  
9 374. And the center of that schedule that you forwarded is-  
10 -the center of the schedule is Mr. Andii Telizhenko.

11 In your email you wrote about Mr. Yarema and the  
12 closing of the case against Mr. Zlochevsky. According to  
13 your email, you called it, quote, "a gross miscarriage of  
14 justice that undermined months of U.S. assistance," end  
15 quote. In that email you also mentioned that Mr.  
16 Zlochevsky, quote, "put Hunter Biden on the board of his  
17 energy company," end quote, and that quote appears on 374,  
18 at the top.

19 Mr. Kent, why did you mention that Mr. Zlochevsky put  
20 Hunter Biden on Burisma's board, in this email to Mr. Herbst  
21 and Mr. Taylor?

22 MR. KENT: Well, again, this is, I think, the third or  
23 fourth time I have been asked the question. I tend to want  
24 to, when I have a conversation with people to make sure that  
25 they are aware of all the facts, and this was obviously a

1 fact in play with this set of issues. So it's the same  
2 question and the same answer, perhaps slightly different  
3 worded, that--that's one of the angles of the Zlochevsky  
4 Burisma cluster that those of us who were representing U.S.  
5 Government interests were dealing with in 2015-2016.

6 MR. WITTMANN: You noted, and rightly so, that we've  
7 asked the question multiple times, but only because the  
8 point has been raised different times in these emails. So  
9 that's why we just want to keep asking you every time.

10 MR. KENT: Well, as I said in my opening statement,  
11 those of us who knew the issue well at the Embassy--  
12 Ambassador Pyatt, the economic section, and I--essentially  
13 engaged in what ended up being a two-year campaign of  
14 education of people in Washington, in the think tank  
15 community, and when I mentioned that in my opening statement  
16 this is what I was specifically referring to, Taylor and  
17 Herbst, representing USIP and the Atlantic Council. The  
18 rest of the Embassy, we went through that last time with  
19 USAID, who was not aware of it, and then publicly that was  
20 in reference to Ambassador Pyatt's blistering speech in  
21 Odessa in September 2015, when he called out both Shokin and  
22 mentioned the lack of activity against Zlochevsky.

23 MR. WITTMANN: Understood. And in just a few more  
24 questions we're going to talk about that speech very  
25 shortly. But before we get there, in February 2015, Viktor

1 Shokin became the Prosecutor General following Yarema. Is  
2 that correct?

3 MR. KENT: Correct. I think I said February 10th, to  
4 the best of my knowledge.

5 MR. WITTMANN: Okay. What was your perspective of Mr.  
6 Shokin at the beginning of his tenure at the Prosecutor  
7 General's Office?

8 MR. KENT: Initially we didn't know that much about  
9 him. His previous tenure as Deputy Prosecutor General was  
10 quite early. I think it may have been through the 2002-ish  
11 period. I arrived first in Ukraine in 2004, for my first  
12 tour, so I was not there when he was in office. But I  
13 immediately Ukrainians what they thought, and I would say  
14 that the response was mixed. It wasn't overwhelmingly  
15 negative. They said that he had a very close association  
16 with Poroshenko, which was, in some ways important, trust in  
17 the President. He had potentially possibly been helpful in  
18 early stages of the investigation of the murder of the  
19 country's leading journalist in 2000, Georgiy Gongadze.

20 And so that was the potential positive, and then the  
21 rest was going to be proven in action once he was in office.

22 MR. WITTMANN: Okay. During Shokin's tenure at the  
23 PGO, were you ever made aware of individuals in the  
24 Prosecutor General's Office accepting bribes?

25 MR. KENT: Well, as I've testified, I, and many other

1 people who have spent time, considered the whole  
2 prosecutorial system a protection racket and self-enrichment  
3 mechanism. When I went into the Prosecutor General's Office  
4 for the first time, on February 3, 2015, the Embassy car was  
5 directed to go into the underground parking garage, because  
6 there was no public parking on--we would've had to park  
7 illegally in front of the Prosecutor General's Office, which  
8 obviously is not something you want to do, for appearance  
9 purposes.

10 I was impressed, would be a diplomatic word, at the  
11 late-model SUVs, I would say the starting price \$100,000 and  
12 up, cars being driven by Prosecutors General whose salaries,  
13 nominally, were only \$1,000 or 2 a month. So I think it was  
14 a widespread assumption and the cars that they were driving  
15 were a confirmation that Prosecutors General were living  
16 well beyond their means of a public sector salary.

17 MR. WITTMANN: Were you aware of whether Mr. Zlochevsky  
18 attempted to bribe, or bribed, individuals in Mr. Shokin's  
19 office?

20 MR. KENT: The previous set of Prosecutors General, and  
21 keeping in mind that I had a conversation a week before  
22 Shokin became Prosecutor General, I had the second-highest  
23 ranking prosecutor in the country claim to me that  
24 Zlochevsky or his agents had paid a bribe of \$7 million. To  
25 be honest, the period when we're working with Shokin, at the

1 request of President Poroshenko, was to try to replicate  
2 institutional reform, and what Poroshenko did was he brought  
3 in a Georgian, David Sakvarelydze, who had been a Deputy  
4 Prosecutor General in Georgia, I believe, as a second  
5 reformer to another named Vitaly Kasco. And those were the  
6 two people that our Department of Justice and FBI elements  
7 of the Embassy worked with to do what Poroshenko asked us to  
8 do, which is help reform the prosecutorial service under  
9 Shokin.

10       So that was the agenda. That was the request. And  
11 that was our main focus starting probably in March through  
12 the summer.

13       MR. WITTMANN: So given all of those efforts, were you  
14 ever made aware of anyone under Shokin's--in Shokin's  
15 office, under his leadership, specifically accepting bribes  
16 from Mr. Zlochevsky?

17       MR. KENT: I had no knowledge, nor was that a focus of  
18 our efforts with Shokin's team, and ultimately had nothing  
19 to do with the reasons why we backed his removal.

20       MR. WITTMANN: So just to be clear, under Mr. Yarema's  
21 tenure you were made aware of people in the PGO accepting  
22 bribes from Mr. Zlochevsky, but under Mr. Shokin's tenure  
23 you had no knowledge or information that individuals that  
24 were working for him, for Mr. Shokin, accepted bribes from  
25 Mr. Zlochevsky?

1 MR. KENT: What I'm aware of is that U.S. officials  
2 pressed Ukrainian officials to reopen the case and fix the  
3 mistake, including prosecuting the corrupt prosecutors that  
4 shut down the case, based on both the presumption, the  
5 suspension, and the acknowledgement of the second-highest  
6 ranking prosecutor in the country that a bribe had been paid  
7 to shut the case against Zlochevsky.

8 So we pressed that point, but that wasn't the focus of  
9 our systemic reform efforts that we were asked to help by  
10 the President of Ukraine, Poroshenko, nor was it related to  
11 why we became disenchanted with Shokin.

12 MR. WITTMANN: Did anyone in Shokin's office, during or  
13 after Mr. Shokin's time as Prosecutor General, ever inform  
14 you that anyone in that office had accepted a bribe from Mr.  
15 Zlochevsky?

16 MR. KENT: Mr. Shokin did not like us. He did not want  
17 to meet with us. And I only saw him in person once, and  
18 that was unexpected and unplanned. So he tried to avoid us  
19 like the plague, and particularly after he destroyed the  
20 Diamond Prosecutors case and essentially put another six  
21 months of U.S. Government effort to waste.

22 MR. WITTMANN: Just so I'm clear, is it fair to say  
23 that the answer to that question is no, that no one under  
24 Shokin, or Shokin himself, ever informed you of anyone in  
25 that office accepting a bribe from Mr. Zlochevsky?

1 MR. KENT: Well, I would say that I think I mentioned  
2 before that we later heard from somebody in the Prosecutor  
3 General's Office. I cannot say exactly when that was. It  
4 could have been during the time that Shokin was the  
5 Prosecutor General, but would not have been from Shokin or  
6 one of his allies. Of the individuals, the prosecutors who  
7 allegedly shut the case against Zlochevsky in December 2014,  
8 that would have happened prior to Shokin coming into office.  
9 It would not have been about a bribe that Zlochevsky  
10 allegedly paid to a prosecutor when Shokin was Prosecutor  
11 General.

12 MR. WITTMANN: Understood. For the people that had  
13 allegedly accepted that bribe, those individuals in the  
14 PGO's office, whatever happened to those people? Were they  
15 dismissed? Did they remain on staff?

16 MR. KENT: There was a new institution stood up, based  
17 on Ukrainian law, called the National Bureau of  
18 Investigation, that took over the investigatory role of the  
19 prosecutorial service, and unlike other new law enforcement  
20 entities that had a transparent competition process, the two  
21 individuals, as head of the Economic Crimes Unit in the  
22 Prosecutor General's Office, Roman Truba and a woman named  
23 Olha Varchenko were appointed the new heads of that  
24 organization. And because of their association with  
25 shutting the case against Zlochevsky, the FBI and the

1 Embassy refused to have anything to do with them, nor would  
2 we train and help support the development of that entity.

3 MR. WITTMANN: Was that entity contained within the PGO  
4 or was that separate?

5 MR. KENT: It was a separate new organization.

6 MR. WITTMANN: So would it be fair to say that the  
7 individuals that were associated with accepting the bribe  
8 were no longer in the PGO's office?

9 MR. KENT: That's correct. I honestly do not know the  
10 date when the State Bureau of Investigation was stood up.  
11 They did not owe allegiance to either Yarema or to Shokin.  
12 They had different lines of authority, in terms of political  
13 cover.

14 MR. WITTMANN: Okay. I want to turn to the speech that  
15 Ambassador Pyatt made that you had previously referenced, on  
16 September 24, 2015. It sounds like you're familiar with  
17 this speech, given that you've referenced it already. What  
18 was the purpose of Ambassador Pyatt giving this speech?

19 MR. KENT: I will a couple of things. One, I wasn't in  
20 country when he gave the speech. I did a one-month study of  
21 Ukrainian. But when I arrived in October, a month later, it  
22 was still reverberating. It probably is the single most, if  
23 you will, in terms of a speech that made an impact and took  
24 notice.

25 Because we--this was in the context it was after the

1 Diamond Prosecutor Affair, and it was after the failure of  
2 action all throughout 2016 to advance the cause of  
3 anticorruption systemic reform, or in cases. And so I don't  
4 remember--it was in Odessa, so it wasn't in Kiev. It was  
5 some sort of forum. Pyatt was invited to speak and the  
6 decision was made to discuss the theme of the failure of  
7 anticorruption action.

8       And so that is why it is a touchstone speech, because  
9 normally, I would say in diplomatic practice, you advocate  
10 privately and not shame publicly. But in certain occasions,  
11 after extensive effort, sometimes the private cajoling then  
12 becomes a public message. And so Ambassador Pyatt and the  
13 Embassy team decided that was the moment. Enough was at  
14 risk that we wanted to go public and to raise our concerns.  
15 So it wasn't just Ukrainian officials but the entire country  
16 heard how concerned we were.

17       MR. WITTMANN: And was this speech vetted by other  
18 senior officials at the State Department?

19       MR. KENT: Speeches by Ambassadors in country are the  
20 prerogative of the Ambassador. Normally when Ambassadors  
21 seek to place op-eds or talk to international media--CNN,  
22 Fox News--those requests would go through the State  
23 Department Press Office. But Ambassadors speaking in  
24 country to an in-country forum, that's his prerogative as  
25 the President's personal representative in country to make

1 that decision.

2 MR. WITTMANN: Do you know if this speech was vetted by  
3 Vice President Biden's office?

4 MR. KENT: I cannot answer that question, but I would  
5 say that would not be normal.

6 MR. WITTMANN: Okay. You mentioned that this speech  
7 touched on concerns about the anticorruption agenda in  
8 Ukraine. Was one of the goals of this speech to criticize  
9 Mr. Shokin?

10 MR. KENT: That arguably was one of the main thrusts of  
11 the speech, yes, because we had identified him as a--as I  
12 mentioned in my opening remarks--as a chief impediment to a  
13 critical goal, and we had a fiduciary responsibility, having  
14 spent hundreds of thousands of dollars that were then  
15 wasted, and because the success of Ukraine was in our  
16 success, that a corrupt Prosecutor General who was not just  
17 preventing progress in his own organization but was going  
18 after people in other organizations, that this was  
19 containing the damage.

20 MR. WITTMANN: The speech, based on public reporting--  
21 we don't have a copy of it in front of us--but just based on  
22 public reporting, the speech appears to talk about the  
23 Zlochevsky case and the results of what happened because of  
24 the situation in the Prosecutor General's Office. Is that  
25 your recollection of what Ambassador Pyatt spoke about in

1 the speech?

2 MR. KENT: Yes, with the caveat that this was a speech  
3 delivered in September of 2016. I read it in October of  
4 2016, and haven't actually read it now for close to four  
5 years.

6 MR. WITTMANN: Understood. Would you say that the goal  
7 of this speech, another goal of this speech was to put Mr.  
8 Shokin on notice to take action to take on corruption inside  
9 and outside of the PGO's office?

10 MR. KENT: I think to be honest, at this point we had  
11 written him off. We were putting Poroshenko on notice and  
12 calling Shokin out publicly.

13 MR. WITTMANN: And just for the record, the speech was  
14 in September 2015. Correct?

15 MR. KENT: Correct.

16 MR. WITTMANN: Okay. I'd like to turn to Exhibit 10.

17 [Kent Exhibit No. 10 was  
18 marked for identification.]

19 MR. WITTMANN: Mr. Kent, this is an article regarding a  
20 news report indicating, on February 2, 2016, that Prosecutor  
21 General Shokin's office had filed a petition to seize  
22 property belonging to Mr. Zlochevsky. At this time, were  
23 you aware of the actions taken by Mr. Shokin's office  
24 against Mr. Zlochevsky?

25 MR. HARTMAN: Just one second. I'm not sure we have

1 that document.

2 MR. KENT: It's on the screen for me.

3 MR. HARTMAN: It's on the screen but I don't think we  
4 have a copy. Is that correct?

5 MR. WITTMANN: Mr. Folio just emailed the document.

6 MR. HARTMAN: Well, I guess there's too many pages and  
7 I think Mr. Kent should probably have a chance to at least  
8 take a look at the entire thing. Unless the question  
9 doesn't require it, in which case I suppose you can ask.

10 MR. WITTMANN: So the text on the document is only on  
11 the first page, and I think the first paragraph that's on  
12 the screen will probably be our substance at first.

13 MR. HARTMAN: Go ahead with your question.

14 MR. WITTMANN: Sure.

15 MR. HARTMAN: Go ahead with your question.

16 MR. WITTMANN: Sure. At the time, on February 2016,  
17 Mr. Kent, were you aware of the actions taken by Mr.  
18 Shokin's office against Mr. Zlochevsky?

19 MR. KENT: I was not. I went back to Washington from  
20 Thanksgiving Day until March 23rd, to do another three and a  
21 half months of Ukrainian training. So I was here at  
22 Arlington studying Ukrainian in February. So no, I was not  
23 aware of this particular action, based on what I'm reading  
24 right now is a wire service report, which has claim of the  
25 Prosecutor General's Office.

1 MR. WITTMANN: Were you--when did you become aware of  
2 the actions of Mr. Shokin's office against Mr. Zlochevsky?

3 MR. KENT: I mean, you're showing me a document which  
4 is--the headline says the court seizes the property. Then  
5 the text says it's being seized according to the Prosecutor  
6 General's Office. What I will say is that, you know, this  
7 is a--I believe Mr. Shokin may have been on sick leave at  
8 this particular moment, because he only came back to the  
9 office for several weeks in March of 2016, and then he was  
10 dismissed at the end of March.

11 So again, I'm reading this as a claim of the Ukrainian  
12 authorities.

13 MR. HARTMAN: Can we just take a break for one second?

14 MR. WITTMANN: Sure.

15 MR. HARTMAN: Can we break for one second?

16 MR. WITTMANN: Go ahead and take the break.

17 [Pause.]

18 MR. HARTMAN: Hi. So I'm sorry for that delay.

19 Obviously we want to sit here quietly and let you ask  
20 whatever you need to ask to do your job, and we do not want  
21 to interfere with that. But, you know, to put up a thing  
22 that he hasn't seen and ask him about the factual basis for  
23 it is just not a particularly reliable way. We haven't  
24 talked to him about it. We don't know what it is. We don't  
25 know whether he even heard of these circumstances even

1 occurring. So we just want to be careful about that. We  
2 don't want to stop you. It's really problematic to ask  
3 about facts in an article that he's never seen before, that  
4 he doesn't know anything about, and sort of ramble about it.

5 MR. GOSHORN: Scott?

6 MR. HARTMAN: It's a concern of ours. We don't want to  
7 mislead you. We don't want to give bad information. But I  
8 just want to express that concern.

9 MR. GOSHORN: Scott Wittmann, are you back?

10 MR. KENT: And to summarize, I was not in Ukraine in  
11 February. I was studying Ukrainian in Arlington, Virginia,  
12 and was not aware of this claim by the Prosecutor's Office  
13 in February of 2016, at the time.

14 MR. GOSHORN: So just--I want to raise a point about  
15 this article you raised. This is the subject of a  
16 Washington Post Fact Checker story. It was rated four  
17 Pinocchios for those who keep track of such a thing.

18 The raid actually took place in 2015, in February of  
19 2015, and there was a kind of complex legal maneuvering  
20 going on in Ukraine, which I don't understand where the raid  
21 occurred, and then it was unwound and then reinstated. And  
22 I believe this article that you just posted, Scott, refers  
23 to the reinstatement but not the actual raid on Zlochevsky's  
24 assets.

25 MR. HARTMAN: I can't--you know, we're here with Mr.

1 Kent and he's trying to help you out, and it's just a very  
2 awkward situation when she's shown that. And I'm not saying  
3 if it's true or not true.

4 MR. GOSHORN: I'm happy to circulate a link to the Fact  
5 Checker story I'm discussing. Maybe I have my facts wrong,  
6 but that's my understanding. I'm happy to circulate that to  
7 everybody right now.

8 MR. DOWNEY: So, Mr. Kent, this is Brian Downey. So  
9 your time in Ukraine or outside of Ukraine, back in  
10 Arlington, you're not aware of Viktor Shokin's office ever  
11 conducting a raid on Mr. Zlochevsky?

12 MR. KENT: I have no factual basis based on information  
13 or my personal experience to make an assessment of that  
14 claim or question.

15 MR. DOWNEY: And Mr. Goshorn's point about The  
16 Washington Post article saying that the raid, if it did  
17 occur, may have occurred February of 2015, in February of  
18 2015, who was the Prosecutor General of Ukraine?

19 MR. KENT: Well, it was Yarema until February 9th, and  
20 it started, on February 10th, being named Viktor Shokin.

21 MR. DOWNEY: Would it be common for you, as DCM, to  
22 come back after your training in March of 2016, to not know  
23 that a raid might have occurred on Mr. Zlochevsky by the  
24 PGO's office?

25 MR. KENT: The presumption behind that question is that

1 the U.S. Government knows everything that happens everywhere  
2 in the world. That's just not true. That's Hollywood. So  
3 no, I do not--I mean, it's a country of 40 million people  
4 that was in a war with Russia, and the answer is no, the  
5 U.S. Ambassador and the DCM do not know what 25,000  
6 prosecutors and 180,000 police officer are doing on a daily  
7 basis in Ukraine.

8 MR. DOWNEY: Did anyone within the PGO, Mr. Lutsenko,  
9 who succeeded Mr. Shokin, ever describe to you that the  
10 PGO's office raided Mr. Zlochevsky's property in prior  
11 years?

12 MR. KENT: What Mr. Lutsenko claimed, and did, was  
13 settle the charges against Zlochevsky, downgrade it from  
14 money-laundering to nonpayment of taxes, and accept a  
15 settlement and a payment that allowed Mr. Zlochevsky to  
16 return to Ukraine after that payment was made.

17 MR. DOWNEY: And during that time under Mr. Lutsenko,  
18 we, the U.S. Government, had, I think, Mr. Vitvitsky  
19 embedded in the PGO's office. Did he ever brief you that  
20 any type of raid occurred on Mr. Zlochevsky's property?

21 MR. KENT: Mr. Vitvitsky, former New Jersey prosecutor  
22 who also served as a resident legal advisor in Ukraine from  
23 2007 to 2009, was a capacity-building advisor for Lutsenko  
24 in late 2016 and late 2017. We kept up a dialogue both by  
25 email and meetings. I believe one of his emails to me is

1 part of the records collection. I do not recall him ever  
2 raising that issue with me, no. But I'm not ruling out that  
3 we had a conversation. I do not recall any such  
4 conversation.

5 MR. DOWNEY: Scott?

6 MR. WITTMANN: Thank you. What, if any, knowledge or  
7 information did you have about actions Mr. Shokin may have  
8 taken against Mr. Zlochevsky?

9 MR. KENT: We had a lot of knowledge of the actions  
10 that Mr. Shokin took and things that he didn't take. Among  
11 the things that he did was in destroying the internal  
12 inspection unit that was supported with U.S. taxpayer  
13 dollars. He wiretapped illegally the houses of the  
14 individuals. His agents threatened to plant drugs on them.  
15 They threatened the parents of those individuals. He fired  
16 them. He transferred them. He threatened civil society  
17 members. He forced the resignation of members of other  
18 organizations. He appointed his first ex-wife's relatives  
19 as prosecutors in regional positions known to be corrupt.  
20 He prevented the prosecution of his former driver in the  
21 infamous Diamond Prosecutor case. That's what we knew Mr.  
22 Shokin did.

23 What he didn't do was prosecute members of the old  
24 order who had stolen money from Ukraine. He did not  
25 prosecute the police who shot the demonstrators, the

1 Heavenly 100 on Maidan and Berkut. And so, as I testified  
2 last fall, he protected the corrupt, he disrupted  
3 prosecutions of those who had committed crimes, and he  
4 persecuted those who were fighting corruption. So that was  
5 our summary assessment of the one-year tenure of Mr. Shokin  
6 as Prosecutor General of the country.

7 MR. WITTMANN: And what was your summary assessment of  
8 actions that Mr. Shokin's office took against Mr.  
9 Zlochevsky?

10 MR. KENT: As I've said, I was not aware of actions  
11 that he took against Mr. Zlochevsky.

12 MR. WITTMANN: During your time as DCM, could you  
13 describe the change in position of the view of Mr. Shokin,  
14 from when he became Prosecutor General until when he was  
15 dismissed?

16 MR. KENT: Right. So when he came in, in February, we  
17 were asked by President Poroshenko to work with him and a  
18 staff, and specifically, as I mentioned, with this new  
19 Deputy Prosecutor General, David Sakvarelydze, to stand up  
20 an internal affairs unit to go after corruption inside the  
21 Prosecutor General's service. So it was delegated  
22 authority, you know, Shokin was the main man. He told us,  
23 actually, he didn't have time to meet with us because he was  
24 busy preparing cases against the policemen who had shot the  
25 protestors on the Maidan, a case that he never brought to

1 court.

2       So he delegated to us to meet with these two Deputy  
3 Prosecutor Generals, Sakvarelydze and Kasco. They set up  
4 the Internal Affairs Unit. The first two cases, proof of  
5 concept case, there was one that was known as the Poltava  
6 case and the other was the Diamond Prosecutors Affair. I  
7 think Mr. Shokin must have been on leave at the time of the  
8 first case, Poltava. It was a raid against a corrupt  
9 prosecutor. It was done with legal wiretap authorities. '

10       There are so many corrupt prosecutors that when the  
11 unit moved in they were talking to the then-Acting, a guy  
12 named Hulser, to inform him. He then called out to Poltava  
13 to warn the corrupt judge about the prosecutor. But there  
14 were so many of them that he warned the wrong corrupt  
15 prosecutor.

16       So that case went forward, and then almost immediately,  
17 perhaps the next week, the so-called Diamond Prosecutor case  
18 went forward. And so in that period of June-July, our first  
19 two test cases, having spent three months hiring, training  
20 up, finding test cases, by the end of July the relationship  
21 had soured and it went downhill from there.

22       And that's when the society protests started. That's  
23 when we were having difficult discussions about what would  
24 come next on the internal inspectorate unit, because it was  
25 set up informally but there needed to be a formal change

1 regulation, signed by Shokin, to establish the new unit, and  
2 he was resisting doing so. We had a former resident legal  
3 advisor who was an inspector within the Department of  
4 Justice, Rob Storch, come out, and he worked on a draft  
5 regulation that were asking Shokin to sign. Shokin refused  
6 to sign that.

7 And so that was the difficult relations that we had  
8 with Shokin in his final months.

9 MR. WITTMANN: So just to track, just to make sure I  
10 understand, this is June-July 2015, and now are we getting  
11 closer to the fall, around the time that Ambassador Pyatt  
12 gave his speech in 2016?

13 MR. KENT: The honeymoon ended in the summer over the  
14 Poltava and Diamond Prosecutor cases, and then it was  
15 September when Ambassador Pyatt gave his public speech.

16 MR. WITTMANN: Understood. Thank you.

17 MR. DOWNEY: Hey Scott, real quick.

18 MR. WITTMANN: Sure.

19 MR. DOWNEY: Mr. Kent, I think you mentioned Rob  
20 Storch. Could you just repeat what he did, or his  
21 involvement?

22 MR. KENT: He had served at the same time as Bohdan  
23 Vitvitsky. We signed what's known as a threshold agreement  
24 of the Millennial Challenge Corporation. They weren't,  
25 because of the corruption, in the system, assessed in the

1 system under the Millennium Challenge Corporation's scoring.  
2 They weren't eligible for a compact, but there's something  
3 called a threshold program which usually tries to help get a  
4 country to the point when they're eligible for a big  
5 compact. It oftentimes focuses on anticorruption. And we  
6 used some of those resources to bring two prosecutors to  
7 advise the government of Ukraine on changes to get them  
8 qualified. And the two prosecutors, I was not in Ukraine at  
9 that point but in 2007-2009, the two were Bohdan Vitvitsky  
10 and Rob Storch.

11 So he had worked in Ukraine for two years. He knew the  
12 system well. He, at the time, was at the Department of  
13 Justice in an inspector general capacity, and so it was--he  
14 knew the country well and he knew the topic well, and so he  
15 was a perfect expert to come in and try to help the  
16 Ukrainians as he had done for two years, a decade earlier,  
17 to improve their legislation. So that was why,  
18 specifically, we reached back to him to help.

19 MR. DOWNEY: Thank you.

20 MR. WITTMANN: Thank you, Brian.

21 Vice President Biden publicly claimed that he  
22 threatened to withhold \$1 billion in U.S. loan guarantees  
23 unless Ukraine President Poroshenko fired Viktor Shokin.  
24 Did the U.S. Government officially link \$1 billion of loan  
25 guarantees to the termination of Mr. Shokin?

1 MR. KENT: The message was conveyed, and I testified to  
2 this last fall, that in addition to the other conditions  
3 that we had discussed for the next and third loan guarantee  
4 that dismissal of Shokin as a Prosecutor General would be  
5 required before we would move forward with the sovereign  
6 loan guarantee, correct.

7 MR. WITTMANN: And for the record, could you please--so  
8 a couple of things. First, when did Vice President Biden  
9 make this claim to Mr. Poroshenko?

10 MR. KENT: I believe, but I'm not entirely sure, that  
11 it was during his visit in December of 2015.

12 MR. WITTMANN: Okay. And for the record, could you  
13 please state the specific reasons as to why the United  
14 States Government officially linked the \$1 billion of loan  
15 guarantees with one of the conditions being the firing of  
16 Mr. Shokin?

17 MR. KENT: I believe I covered that at length in my  
18 opening statement. We had been asked by the President of  
19 Ukraine, Poroshenko, to help reform the prosecutor's  
20 service. The prosecutorial service is key to the post-  
21 Soviet institutional structure that Ukraine and other  
22 countries inherited, where state authorities were used to  
23 oppress the people rather than serve the people. The KGB  
24 and the prosecutorial services were the two key instruments,  
25 and if those two institutions are not reformed, these

1 countries will not succeed. So this was both at the request  
2 of the President and in our analytical assessment what  
3 Ukraine needed to succeed.

4 We proceed at the request of the Ukrainian President,  
5 and our efforts were stymied by Shokin, and not only did he  
6 prevent reform, he went after reformers, and in so doing  
7 undermined U.S. resources and efforts.

8 MR. WITTMANN: Whose idea was it to link the loan  
9 guarantees to the firing of Mr. Shokin?

10 MR. KENT: As I said in my opening statement, and  
11 repeated, as well as in my testimony last fall, to the best  
12 of my knowledge this was an idea that started at the  
13 Embassy, because we knew the situation on the ground the  
14 best. We raised it with Washington, it was discussed in the  
15 interagency, and then it was presented to the Office of the  
16 Vice President ahead of his trip as something he should  
17 raise with President Poroshenko.

18 MR. WITTMANN: And when you say that the idea started  
19 at the Embassy, where in the Embassy did it start?

20 MR. KENT: Well, I think, again, going back to  
21 Ambassador Pyatt's September speech, even if we had people  
22 writing a draft of that speech, Ambassador Pyatt very much  
23 agreed and honed that position. So that was the position of  
24 the Ambassador. It was the position of the country team.  
25 There was no disagreement among all those who were working,

1 whether it was our operational law enforcement  
2 representative; the Legat, FBI'; the capacity-building  
3 representative of the Department of Justice, so-called  
4 resident legal advisor; the capacity-building program under  
5 the State Department known as INL, International Narcotics  
6 and Law Enforcement; or the front, the Deputy Chief of  
7 Mission and the Ambassador.

8 MR. WITTMANN: So would you say that Ambassador Pyatt  
9 was the starting point for wanting to make this connection  
10 between the loan guarantee and Mr. Shokin?

11 MR. KENT: The Ambassador was the head of the country  
12 team and it would be his voice that would be conveyed in  
13 interagency discussions in Washington.

14 MR. WITTMANN: And who did this information go to in  
15 the Vice President's Office?

16 MR. KENT: To be honest, I do not know the full  
17 structure of who was staffing the Vice President at this  
18 particular moment in time, which was late 2015, so I cannot  
19 tell you for certain. I think the starting point for any  
20 U.S. Embassy is actually the State Department, and that  
21 would be the European Bureau, that at the time was headed by  
22 Assistant Secretary Victoria Nuland. The Deputy Assistant  
23 Secretary in charge of policy towards Ukraine, my  
24 predecessor, was Bridget Brink. And so those would be the  
25 policymakers working closely with U.S. Embassy on our policy

1 toward Ukraine, and then engaging the people who work at  
2 both the National Security Council and the Office of Vice  
3 President. And I will say, having sat in Washington, as  
4 well as having served in Ukraine, generally the State  
5 Department asks embassies to go through the State Department  
6 rather than having direct engagement.

7 MR. WITTMANN: And just so I have an understanding of  
8 the time frame of when this information was conveyed, do you  
9 know at what point in time the information went from the  
10 Embassy to the State Department to the Vice President's  
11 office?

12 MR. KENT: Our view about Viktor Shokin's role in being  
13 a hurdle to reform and sort of wasting our programming  
14 certainly were well known. We would have conveyed them back  
15 to Washington. We obviously did so. The Ambassador did so  
16 in September in a public speech.

17 I think the issue of gathering information and  
18 recommendations for the Vice President's eventual visit is a  
19 process that everyone who has staffed a principal is  
20 probably well aware. And so the Vice President's staff  
21 would reach out, work with the National Security Council.  
22 They would reach out to all agencies for suggestions,  
23 including to the State Department but not exclusively, and  
24 then information and suggestions would be fed through the  
25 process, to determine the paperwork for a visit.

1 MR. WITTMANN: Mr. Downey, do you have questions?

2 MR. DOWNEY: Yes. Mr. Kent, so as you're describing  
3 the to Mr. Wittmann the process by which the Embassy in Kiev  
4 decided that Shokin was a hurdle to reform, how did you  
5 know, or how did the Embassy discuss, well, if we get rid of  
6 Shokin we don't know who we're dealing with next, who would  
7 take that post. They could be worse than Shokin. They  
8 could be worse than Yarema.

9 So can you walk us through how--I mean, that doesn't  
10 seem like a light decision to think that we should remove  
11 Shokin when they could put in someone--the Ukrainians could  
12 put in someone that's 10 times more corrupt, right? So  
13 could you walk us through that process of how--I mean,  
14 you're kind of dealing with a bad hand here. How do you  
15 decide if it's time for Shokin and we're going to take a  
16 chance with the next guy in the chair?

17 MR. KENT: Well, to be clear, we didn't remove Shokin.  
18 The Ukrainian Parliament voted to remove him, because in  
19 their constitutional process that's--they appoint, and it's  
20 nominated by their President but it's appointed by a vote,  
21 similar to our approval process in the Senate, and then  
22 removed, unlike our process, removed by another vote by  
23 their Parliament.

24 The issue was that we were not going to spend  
25 additional U.S. taxpayer dollars, having seen our previous

1 taxpayer dollars wasted by Viktor Shokin. And so the issue  
2 was, we took a stand for the integrity of our programs and  
3 our fiduciary responsibility for prudent use of U.S.  
4 taxpayer dollars.

5 Now, the question is a fair one, and it was raised by  
6 some people, including the then Prime Minister of Ukraine.  
7 But that's--our responsibility is not to determine who is  
8 the next Prosecutor General. It is to state the principles  
9 and basis on which we are prepared to work with Ukrainian  
10 officials in a whole host of areas. That includes  
11 prosecutorial reform. It included customs reform. And  
12 Ambassadors Pyatt and Yovanovitch, and I, willingly shut  
13 down U.S. programs when there wasn't political will to go  
14 forward.

15 When, later on, Lutsenko stopped reforming, we shut  
16 down our prosecutorial systems program entirely, which, in  
17 part, led to him claiming, "Where's the money?" as he did  
18 last year.

19 When the customs system was being run by a corrupt head  
20 of customs named Roman Nasirov, we returned \$2 million to  
21 the U.S. Treasury, and that's very unusual for any of you  
22 who have dealt with embassies in the Executive branch, to  
23 return money to the U.S. Treasury. Because we wanted to  
24 send a signal to people in Washington as well as to the  
25 Ukrainians that in any particular area, if they were not

1 willing to do what the country needed, and we had agreed upon  
2 would be the purpose of the program, that we would do our  
3 fiduciary responsible to the American taxpayer and end a  
4 program.

5         So those were the terms of our willingness to  
6 cooperate. Who was going to be appointed by Poroshenko,  
7 that's his prerogative, constitutionally, in Ukraine, to  
8 appoint a Prosecutor General. And so his choice, after  
9 Shokin was dismissed, was Yuriy Lutsenko, a politician  
10 without a law degree or any experience. He had been  
11 Minister of Interior. We had worked with him as a  
12 politician. But that was a decision that Poroshenko made  
13 because he wanted somebody that he, quote/unquote, "could  
14 trust."

15         MR. WITTMANN: Thank you. If Mr. Shokin was not  
16 dismissed, would the United States have withheld \$1 billion  
17 in U.S. loan guarantees?

18         MR. KENT: We made clear that in the absence of the  
19 dismissal of Shokin that we would not be prepared to extend  
20 another loan guarantee. That's correct.

21         MR. FOLIO: Hi, Mr. Kent. I'm going to jump back in  
22 here. We're going to switch topics, but I have one last  
23 question on this last line of questioning before I do. We  
24 discussed--you discussed Ambassador Pyatt's September of  
25 2015 speech, during which, among other topics, he criticized

1 Mr. Zlochevsky. Did Vice President Biden ever publicly  
2 criticize Mr. Zlochevsky?

3 MR. KENT: I honestly--Presidents and Vice Presidents  
4 give a lot of public remarks. I can't answer that question.  
5 I don't know.

6 MR. FOLIO: Hypothetically, would Vice President Biden  
7 have been in a position to have criticized Mr. Zlochevsky?

8 MR. KENT: I'm here as a fact witness and I don't want  
9 to answer a hypothetical. Honestly, I can't. I just don't  
10 know.

11 MR. FOLIO: I guess from your perspective as DCM in  
12 Ukraine, we've seen lots of emails where you've described,  
13 you know, issues with the anticorruption message. How would  
14 a message from Vice President Biden criticizing Mr.  
15 Zlochevsky have been received, in light of the fact that his  
16 son was sitting on Mr. Zlochevsky's company's board?

17 MR. KENT: Again, you're asking me to answer a  
18 hypothetical. I'm happy to answer any fact-based question  
19 about what happened, or involvement, but I honestly don't--I  
20 don't see the purpose in asking a hypothetical. Again, my  
21 concerns were clear.

22 MR. FOLIO: I'd like to enter what we'll mark--  
23 actually, before we do that, switching gears a little bit,  
24 are you familiar with the U.S. consulting firm, Blue Star  
25 Strategies?

1 MR. KENT: I became aware of it in 2016.

2 MR. FOLIO: And when did you first become aware of Blue  
3 Star Strategies?

4 MR. KENT: I received a call from--I will say that  
5 having read the documents that were provided to the  
6 Committee, I was copied on an email in November 2015. But  
7 my focus was not on the mention of Blue Star Strategies. So  
8 the--at the time, the first time it was who they were was  
9 raised to me was by our former Assistant Secretary for  
10 European Affairs, Dan Fried, who reached out to me in the  
11 summer of 2016, asking if I would be willing to talk to a  
12 former colleague who had worked on Central Europe with him,  
13 Sally Painter. And so that was the first time the name  
14 registered with me.

15 MR. FOLIO: And we have that email. I'll ask Will to  
16 pull it up and we'll mark it as Exhibit 11.

17 [Kent Exhibit No. 11 was  
18 marked for identification.]

19 MR. KENT: Do you have a document number for us?

20 MR. FOLIO: Bates number 12460. Mr. Kent, that email  
21 from Ms. Painter to yourself, is that the connection through  
22 Dan Fried that you were just referencing?

23 MR. KENT: Hold on a second. Okay, 1246 for me is a  
24 reference to a document by Taras Kuzio. Could you give us  
25 maybe another document, at the bottom of the page,

1 reference? That doesn't work with us.

2 MR. FOLIO: 12460. 1-2-4-6-0.

3 MR. KENT: 1-2-4-6-0? Do we have that many documents?

4 MR. FOLIO: Pages.

5 MR. KENT: To be honest, my documents don't go that  
6 high. The highest one I have is 4761, unless someone--maybe  
7 else--

8 [Simultaneous discussion.]

9 MR. FOLIO: If you wouldn't mind taking a lot at the  
10 screen, I just wanted to--this seems to be the email you  
11 were referencing. If you're able to just review it on the  
12 screen and let us know if that's right.

13 MR. KENT: So I don't have an email address that starts  
14 GPKent, so she sent an email to a non-functional email  
15 address. I've never seen this.

16 MR. FOLIO: Okay.

17 MR. KENT: My email is KentGP@state.gov, and it's quite  
18 possible that she miswrote my email address, and therefore I  
19 never received it.

20 MR. FOLIO: Understood. Let me move to another  
21 document we will enter as Exhibit 12. The Bates numbers for  
22 this document are 1256 through 1258.

23 [Kent Exhibit No. 12 was  
24 marked for identification.]

25 MR. KENT: We have that.

1 MR. FOLIO: If we could start at the bottom, please,  
2 Will, page 1258. This is an email chain that you added to  
3 later, but the initial email is from Mr. Bohdan Vitvitsky,  
4 and I think you described him previously as an OPDAT U.S.  
5 Department of Justice prosecutor, working in Ukraine. Is  
6 that correct?

7 MR. SCHRAM: Joe, can you give us a moment to locate it  
8 as well?

9 MR. FOLIO: Sure.

10 MR. HARTMAN: And just so we're here on the record, the  
11 last thing that you presented, the last one, I think you  
12 called it Exhibit 11--

13 MR. FOLIO: Correct.

14 MR. HARTMAN: --the one that we--that has the wrong  
15 email address on it, I believe.

16 MR. KENT: We don't have it.

17 MR. HARTMAN: We don't have that at all. I guess if  
18 you want to make it part of the record you can, but we  
19 don't--we haven't seen it, we don't know what it is. And  
20 maybe we don't need it--

21 MR. FOLIO: Sounds like it was a missed connection,  
22 which I think will actually be addressed in the near future.

23 MR. SCHRAM: Joe, we can't see the Bates number on this  
24 one.

25 MR. FOLIO: It is 1256 through 1258.

1 MR. HARTMAN: 1256?

2 MR. KENT: If I can just clarify the question, the last  
3 question that was raised, Bohdan Vitvitsky was a New Jersey  
4 prosecutor who came to the Ukraine for two years, 2007 to  
5 2009, on a threshold program. In 2016, he was brought back  
6 as an advisor to Lutsenko on a contract via IDLO. IDLO is  
7 the International Development of Law Association. It is a  
8 UN-affiliated organization based in Rome, and it was one of  
9 our justice sector program implementers. And so they  
10 contracted for his advisory services, and so he was back in  
11 Ukraine.

12 So former Department of Justice 2007 to 2009, brought  
13 back 10 years later as an advisor via IDLO.

14 MR. FOLIO: So in this email, I'd like to focus you on  
15 the second paragraph. And it is informing the recipient,  
16 which is not you yet. But he says that--Mr. Lutsenko said  
17 that he had been--

18 MR. HARTMAN: Is somebody talking?

19 MR. FOLIO: I'm sorry?

20 MR. HARTMAN: You faded out on us, I think.

21 MR. FOLIO: Oh, I'm sorry. So the second paragraph of  
22 the email is Mr. Lutsenko recounting a conversation he had  
23 with--

24 MR. KENT: We can't hear you.

25 MR. HARTMAN: Again, Joe, you're fading out on us.

1 Sorry.

2 MR. FOLIO: I'd just ask to focus your attention on the  
3 second paragraph of the email. Mr. Vitvitsky is recounting  
4 his conversation with Mr. Lutsenko. And in that second  
5 paragraph, Mr. Vitvitsky writes that Lutsenko said "he had  
6 been invited yesterday by people from D.C. to come there to  
7 meet some Hillary people and some official people. I was  
8 rather taken aback by our lack of coordination. The two  
9 people about whom he was referring are Karen Tramontano and  
10 John Buretta (I'm translating from Ukrainian, so spellings  
11 might not be 100% accurate). My Q, question, is, what the  
12 blazes? Does our right hand speak with our left hand?"

13 So, Mr. Kent, you were eventually forwarded this email.  
14 What did you understand Mr. Vitvitsky's concern to be?

15 MR. KENT: I believe there are--let me see if it's this  
16 email chain or a different one. Ah, so later on, if you  
17 move on page 1257, and again, the email chain is in reverse  
18 chronological order, Vitvitsky offers his comment that  
19 "Respectfully, meetings with Department of Justice brass  
20 need to be a bennie"--meaning a benefit--"that we guard very  
21 jealously."

22 So without being able to put words in Bohdan's mouth,  
23 because he's not here, he thought--what I think is what he  
24 thought, is that he thought that there was an effort to  
25 reach out and offer this meeting. What actually was the

1 case was that a lawyer for Cravath, which represents  
2 Zlochevsky in the United States, John Buretta being the  
3 former DOJ official, he, along with Karen Tramontano, the  
4 CEO of Blue Star Strategies, had come in and had a meeting  
5 with Lutsenko to talk about a possible visit to the United  
6 States. The U.S. Government was not offering anything.

7 Now, separate from that, there is an email--let's see.  
8 Somewhere, because I read the email, it said the State  
9 Department provided, that I was a record-keeper for, there  
10 is a reference, and it doesn't look like it's in this  
11 particular email, but that our resident legal advisor, who  
12 was the capacity-building advisor representing DOJ, OPDAT--  
13 that's the Jeff on page 1256--he heard from Bruce Swartz,  
14 the DAG for international cooperation, that John Buretta had  
15 reached out.

16 So it wasn't left hand, right hand of the U.S.  
17 Government, it was a former DOJ official working for a  
18 private law firm that had reached out to the Department of  
19 Justice, asking a willingness to meet. And so it wasn't a  
20 matter of lack of coordination. It was a private law firm  
21 trying to get a meeting for a foreign official without the  
22 request having gone through either the U.S. Embassy in Kiev  
23 or the Ukrainian Embassy in Washington. And I immediately  
24 reached out in one of the other emails, not this one, I  
25 guess, related to the DCM and the Ukrainian Embassy in Kiev,

1 Oksana Shulyar, and she confirmed that they had not heard  
2 from Lutsenko's office about this meeting.

3 MR. FOLIO: From your perspective, is that a problem  
4 that private individuals were attempting to schedule  
5 meetings outside of the channels of the State Department and  
6 the Embassy?

7 MR. KENT: My advice to Lutsenko--and it talks about a  
8 meeting, which I eventually had--is that government-to-  
9 government meetings should be arranged by embassies, the  
10 Ukrainian Embassy and our Embassy in Kiev. What government  
11 officials want to do outside of official meetings is their  
12 business. But if he wants to meet with a Department of  
13 Justice official, he should be asking our Embassy--we have a  
14 representative at the Embassy--and he should send a message  
15 to their Embassy in Washington to reach out here, rather  
16 than working with a third party to meet with the U.S.  
17 Government.

18 MR. FOLIO: And why is that, or would you prefer that?

19 MR. KENT: That's what the purpose of government  
20 representations abroad are. I mean, the U.S. Government  
21 pays money for officials to work overseas. The Ukrainian  
22 government has an Embassy to do the same thing. That's the  
23 purpose and function of those embassies, to promote  
24 government-to-government contacts and relations.

25 MR. FOLIO: When Mr. Vitvitsky wrote that "this is a

1 bennie that we guard very jealously," I think you explained  
2 what you thought him to mean. But did you share in that  
3 view, that setting up a meeting between the Prosecutor  
4 General and high-ranking Department of Justice officials is  
5 something that U.S. Government, in general, should, quote  
6 "guard very jealously"?

7 MR. KENT: It was the considered opinion of those who  
8 are on that email, which include me, the Department of  
9 Justice resident legal advisor, the FBI representative, and  
10 the head of our capacity-building element, the INL chief,  
11 that Lutsenko had not done enough in terms of advancing  
12 reform to justify meeting with the Attorney General.

13 MR. FOLIO: So from Lutsenko's perspective, or how  
14 you're viewing Lutsenko's perspective, is this a valuable  
15 thing for him to have, a meeting with the Attorney General  
16 or high-ranking officials in the Department of Justice?

17 MR. KENT: I think all foreign officials like to have  
18 meetings with their U.S. counterparts, because it increases  
19 their standing at home.

20 MR. FOLIO: Were meetings like this one of the ways  
21 that you attempted to maintain leverage over foreign  
22 partners?

23 MR. KENT: Yes, and the other issue I would say is that  
24 it doesn't mean that we were preventing or recommending  
25 against a trip per se, but given the level of reform and

1 action that Lutsenko had carried out to date, Bruce Swartz  
2 is as high an official at the Department of Justice that any  
3 of us at the Embassy would have recommended Lutsenko  
4 meeting.

5 MR. FOLIO: And when you say "given his reform to  
6 date," do you mean a lack thereof?

7 MR. KENT: Lack thereof, yes.

8 MR. FOLIO: You responded, in between these emails,  
9 "Oof. Blue Star again." What did you mean when you wrote  
10 "oof"?

11 MR. KENT: Well, I think at this point Blue Star  
12 started coming up frequently, and we've got multiple email  
13 lines, and I can't remember exactly which other element came  
14 up. But this is an email from the 31st of August, and we're  
15 getting close to the September 6th conversation I had with  
16 Sally Painter.

17 MR. FOLIO: Right. We'll get to that next. I just  
18 think at this point in time, you know, what your perspective  
19 is, you know, DCM, U.S. Embassy in Ukraine, and you see this  
20 private third party trying to arrange high-level meetings  
21 without your awareness.

22 MR. KENT: Right. I think at that point I was aware  
23 that Blue Star Strategies had a relationship that was  
24 unclear to me with Zlochevsky.

25 MR. FOLIO: Was that frustrating to you?

1 MR. KENT: My understanding is that if somebody wants  
2 to represent somebody on a contractual basis and meets the  
3 legal norms in their countries, that's a matter of private  
4 business and enterprise. I, as a U.S. Government official,  
5 have a fiduciary responsibility for our programming as well  
6 as an oversight and appropriate relationship with whom U.S.  
7 Government officials, who reported to me at the Embassy,  
8 would engage. So--

9 MR. FOLIO: Were you frustrated that this private third  
10 party was going--basically cutting you all out of the loop?

11 MR. KENT: It wasn't a matter of frustration. I mean,  
12 I will say that there is a long history of Ukrainian  
13 politicians and parties engaging lobbyists to gain access,  
14 and, in fact, some of the other documents that the State  
15 Department provided include three from an academic named  
16 Taras Kuzio, who maps the long record of Ukrainians, parties  
17 and individuals, who have entered into relationships with  
18 lobbyists in the U.S.

19 MR. FOLIO: Does that complicate your work as the  
20 representative of the United States Government in the  
21 Embassy, in trying to ensure conditions and achieve other  
22 policy goals?

23 MR. KENT: I think it's a reality. You know, there's  
24 the version of international relations people learn in grad  
25 school and then there's the reality. And I think the

1 reality is not just in Ukraine that you have these agents of  
2 influence. I also served in Thailand, and Thaksin  
3 Shinawatra, the Prime Minister, he also engaged in private  
4 channels, non-U.S. Government channels, to try to send  
5 messages to Washington.

6 So I would say that's how governments and prime  
7 ministers the world over work. And so people who reach a  
8 certain level understand that.

9 MR. FOLIO: Does that make your job easier or harder?

10 MR. KENT: It depends. Sometimes it does make it  
11 easier and sometimes it makes it harder.

12 MR. FOLIO: How about here?

13 MR. KENT: Well, I mean, again, my message to Lutsenko  
14 when I met him one-on-one was, you want to meet with U.S.  
15 Government officials? Come to us. Go to your Embassy.  
16 What you do outside of meeting with U.S. Government  
17 officials, that's your time, your business. That's  
18 oftentimes how it's run.

19 MR. FOLIO: Will, if we could please scroll up to page  
20 1257?

21 In your FYI paragraph, you wrote, "I SMSed Lutsenko  
22 last night--"

23 MR. SCHRAM: Joe, we can't hear you unless you're  
24 facing straight at your microphone.

25 MR. FOLIO: In that paragraph you wrote, "I SMSed

1 Lutsenko last night after consults with Jeff and Johannes to  
2 ask what was up with the trip, was it true he was using a  
3 third-hand rather than working through the Ukrainian Embassy  
4 and our Embassy, which was the proper path in my view. I  
5 also (as agreed with Jeff) Facebook messaged"--Facebook  
6 messaged--"The Ukrainian Washington Embassy DCM."

7 So, Mr. Kent, does that email response reflect what you  
8 just told us, how you responded to Mr. Lutsenko [inaudible--  
9 audio difficulties] parties?

10 MR. KENT: Right. So, yes. So Jeff and Johannes, that  
11 the DOJ resident legal advisor and the FBI Legat.

12 MR. FOLIO: So from the perspective of Prosecutor  
13 General Lutsenko, what would be his view of Blue Star  
14 facilitating these meetings with U.S. officials?

15 MR. KENT: You're asking me to answer for somebody, a  
16 Ukrainian official.

17 MR. FOLIO: I'm asking your perspective as the DCM, as  
18 to, you know, you've expressed opinions that you'd prefer  
19 that he would go directly through you. You saw Mr.  
20 Vitvitsky's line that this was a "bennie that the U.S.  
21 Government should guard jealously." So I'm just wondering,  
22 based on your experience in these situations, but  
23 specifically in the Ukrainian government, would Mr. Lutsenko  
24 view Blue Star favorably for providing him this access that  
25 he has not received, and your opinion has not earned, at

1 this point in time?

2 MR. KENT: Again, as I said in my opening statement, my  
3 comments, and in this conversation I guess we're getting to,  
4 with Lutsenko, I raised issues of timing and interlocuters  
5 with him. But, you know, people are, again, big boys and  
6 girls, and sometimes they--you give them the best advice and  
7 then they make their own decisions.

8 MR. FOLIO: I'm going to ask Will if he can please pull  
9 up what we previously marked as Exhibit 2. This was 345  
10 through 347. This was the September 2016 email Mr. Kent  
11 sent internally after his phone call with Sally Painter from  
12 Blue Star.

13 So, Mr. Kent, this is email that you sent then was to  
14 Bridget Brink, Jorgan Andrews, and copies to Ambassador  
15 Yovanovitch. The subject line is "Bullying, threatening  
16 call by Blue Star's Sally Painter (re Lutsenko)."

17 Why did you send this email to these particular  
18 individuals?

19 MR. KENT: Well, Bridget Brink was my predecessor in  
20 the current job I have, Deputy Assistant Secretary  
21 responsible for policy in Georgia and Ukraine. Jorgan  
22 Andrews was the Office Director of Eastern Europe, another  
23 senior official, and then, obviously, the Ambassador being  
24 copied.

25 Generally, as I started with my opening statement,

1 there is bipartisan consensus about our policy towards  
2 Ukraine and the need to be helpful. This was a very  
3 contentious, accusatory conversation, and I just thought  
4 given the nature of the conversation it was important to  
5 inform the officials in Washington that worked directly on  
6 Ukraine that that conversation did happen.

7 MR. FOLIO: If we can scroll up please, Will, to page  
8 345. So the second paragraph, Mr. Kent, you wrote, "Painter  
9 adopted a hostile, aggressive tone from the outside, and was  
10 rude and accusatory throughout."

11 MR. KENT: That should have been "outset," is what I  
12 meant. That could have been an auto-correct.

13 MR. FOLIO: I should have auto-corrected for you.  
14 sorry. "It was unlike any conversation I have had in my 24+  
15 years in the foreign service, and completely inappropriate  
16 on her part. She ended the conversation by saying that she  
17 would take it up the 'The Under Secretary.' (No further  
18 information)"

19 Why was this phone call so unlike any conversation you  
20 had in your entire foreign service career?

21 MR. KENT: I had never talked to her, and there was no  
22 effort to start with an introduction. It was just a bull  
23 rush of accusations that were not factually based. It's an  
24 odd way to start a relationship. That's how I would put it.

25 MR. FOLIO: And of what was Ms. Painter accusing you?

1 MR. KENT: Of ruining their business model.

2 MR. FOLIO: And how did you allegedly do that?

3 MR. KENT: She was not completely clear, but it had to  
4 do with Lutsenko's check.

5 MR. FOLIO: So looking at that first paragraph, you  
6 wrote, "Nearly simultaneous her boss, Karen Tramontano,  
7 called on the other line asking to talk to the Ambassador,"  
8 who you noted then is out for the rest of the day. What did  
9 you take it to be on the phone call that was, you said,  
10 highly accusatory, and then Ms. Painter's colleague was, at  
11 the same time, trying to reach the Ambassador? How did you  
12 interpret that?

13 MR. KENT: Walking up the ladder. So--

14 MR. FOLIO: At the same time?

15 MR. KENT: As it turned out, yeah, that's why we  
16 oftentimes don't give out our direct lines, and certainly  
17 these are people that we--I had not ever talked to. So they  
18 called in and got patched into our secretaries. I was in  
19 the office, Ambassador Yovanovitch was not, so I took the  
20 call from Painter.

21 MR. FOLIO: Around this time, did Karen Tramontano  
22 connect with Ambassador Yovanovitch?

23 MR. KENT: I'm not aware that they had a conversation  
24 that day. Honestly, I don't know. They obviously  
25 eventually did have a meeting--this is 6 September, so three

1 months later in December, as a document that we discussed  
2 earlier indicated. They may well have connected later that  
3 week. I just don't remember.

4 MR. FOLIO: You wrote in the email that Ms. Painter  
5 accused you of damaging, quote, "her firm's reputation to  
6 Lutsenko and allegedly told them, Lutsenko, not to have  
7 anything to do with them"--Blue Star--"(for the record: I  
8 did not tell him that. Full stop.)"

9 MR. KENT: Right.

10 MR. FOLIO: What did you put--did you clarify with Ms.  
11 Painter exactly what you said with Mr. Lutsenko?

12 MR. KENT: As the email indicates, after she ranted for  
13 at least five minutes, I didn't hang up on her but I told  
14 her I would have every right to do so, and offered her a  
15 chance to reset and start the conversation that she should  
16 have started with, since we had never talked to each other.  
17 And then when she demanded to know exactly what I told  
18 Lutsenko, I told her that was a privileged conversation  
19 between two governments and I wasn't about to share the  
20 contents, but that she had mischaracterized what I had told  
21 Lutsenko.

22 MR. FOLIO: I think before you said it wasn't clear,  
23 but is Ms. Painter referring to the conversation we looked  
24 at a minute ago, when you found out that people were trying  
25 to arrange a meeting for Lutsenko with the Department of

1 Justice and you became aware of that?

2 MR. KENT: Yes. I mean, I had--you know, the previous  
3 email, I believe, mentioned that Lutsenko had asked to see  
4 me one-on-one. So we had a meeting, and then several days  
5 later this conversation occurred.

6 MR. FOLIO: And I think you testified earlier that Mr.  
7 Lutsenko, after your conversation, ended up postponing his  
8 trip until after the election. Correct?

9 MR. KENT: That's correct.

10 MR. FOLIO: So do you think that's what Ms. Painter was  
11 referring to?

12 MR. KENT: She was referring to the fact that from--I  
13 could gather from her comments that there had been a  
14 communication with Lutsenko, and he said he was not coming  
15 to the United States.

16 MR. FOLIO: In that longer paragraph that begins "I  
17 wasn't able"--if you could scroll down a little bit, Will,  
18 please--you wrote that Ms. Painter made a reference to,  
19 quote, "'not representing Nikolai in the U.S.' (I presume  
20 this is Zlochevsky), 'because he has legal representation in  
21 the U.S. or Burisma.'"

22 What did you understand that to mean, that she was not  
23 representing him in the U.S.?

24 MR. KENT: I understood this to mean that she did not  
25 have an obligation to register as a fair agent.

1 MR. FOLIO: Foreign agent's registration?

2 MR. KENT: Correct.

3 MR. FOLIO: You went on to write that "she had  
4 represented Yushchenko's interests in the U.S. for five  
5 years, and knew what was legal and what was not, and when it  
6 was required to register." Who is Yuschenko?

7 MR. KENT: He was the President of Ukraine from 2005 to  
8 2010.

9 MR. FOLIO: She also mentioned that "she was on the  
10 board of the Atlantic Council, and on a pro bono basis had  
11 been happy to arrange something with John Herbst (i.e., for  
12 Lutsenko to speak), and that they also had offered a private  
13 dinner for Lutsenko that she and her partner, Tramontano,  
14 would have hosted for Lutsenko at no cost, to invite various  
15 people, important people, including Melanne Veveer, who was  
16 by the way close to former Secretary Clinton."

17 So why was Ms. Painter telling you all this?

18 MR. KENT: Namedropping is something that lobbyists  
19 oftentimes engage in.

20 MR. FOLIO: What did you make of her telling that part  
21 of the trip was for Mr. Lutsenko to meet with people who  
22 were close to former Secretary Clinton?

23 MR. KENT: Well, Melanne Veveer is a Ukrainian  
24 American, and so she is somebody who is interested in  
25 Ukraine relations. But I believe this conversation I had

1 came a week after Bohdan Vitvitsky had heard directly from  
2 Lutsenko that he was interested in going to the U.S., had  
3 been invited to go to the U.S. to talk to Clinton's people  
4 and U.S. Government officials. And that came after he,  
5 Lutsenko, had a meeting with Karen Tramontano, and John  
6 Buretta of the law firm Cravath.

7 MR. FOLIO: And this, of course, was when Ms. Clinton  
8 was running for President.

9 MR. KENT: This conversation, yes, was happening in  
10 September of 2016.

11 MR. FOLIO: So in addition to offering meetings with  
12 high-ranking Justice officials that Mr. Lutsenko is not  
13 getting through the Embassy, they also appeared to be  
14 offering meetings with high-ranking people close to then  
15 candidate Clinton. Correct?

16 MR. KENT: That is what she was suggesting, yes.

17 MR. FOLIO: And from your perspective, again,  
18 recognizing that you deal with Prosecutor General Lutsenko,  
19 you have your own requests of him, policies that you're  
20 seeking to pursue in coordination with him. How did you  
21 view this private third party offering not only government  
22 meetings but meetings with presidential candidates at the  
23 time?

24 MR. KENT: Well, again, my role as a U.S. Government  
25 official, if a foreign government official wants to come to

1 the United States, in terms of meeting government officials,  
2 it's better to go through embassies. I asked Lutsenko what  
3 else did he want to do, and he said, "I'd like to talk to  
4 think tanks." And I said, "Well, the week, sir, that you're  
5 planning to go is the week of the U.N. General Assembly, and  
6 all the main think tanks are not going to be in Washington.  
7 They'll be up in New York, so there will be no one to see  
8 and host you and give you a platform to talk to opinion  
9 makers in Washington."

10 I said, "What else do you want to do?" He says, "Oh,  
11 what I really want to do is meet John Podesta, because he's  
12 running the campaign and he might be the next chief of  
13 staff." And I said, "Well, maybe it's better to wait until  
14 after the election."

15 MR. FOLIO: If we could scroll down to page 346  
16 [inaudible--audio difficulties.]

17 MR. SCHRAM: Joe, let me just interject. I believe  
18 you're over the hour. Do you have a sense of how much  
19 longer you're going this round?

20 MR. FOLIO: So I can ask one more question. We have,  
21 well, we have a handful of questions about this email, and  
22 then a little bit longer. So we're happy to--maybe if I can  
23 ask one more question, we can take a break, and then hand it  
24 back to you, Zack?

25 MR. SCHRAM: We're in no rush to cut you off, if you're

1 interested in finishing this line of questioning so that  
2 it's easier for the witness to follow in one thread, if it's  
3 a reasonable amount of overage.

4 MR. FOLIO: I prefer to finish this email and then we  
5 can transition.

6 MR. SCHRAM: Does that work for the witness?

7 MR. KENT: That's fine. I mean, I avoided the bathroom  
8 break an hour and 20 minutes ago. I'll need one in the next  
9 5 to 10 minutes.

10 MR. FOLIO: That's a good call.

11 During the phone call with Ms. Painter, did you ever  
12 discuss Mr. Zlochevsky and his links to corruption?

13 MR. KENT: The topic of the conversation was about  
14 Lutsenko. It was--Painter was the one who raised, and  
15 didn't even use the name Zlochevsky, she used the Russian  
16 version of his first name, Nikolai. We refer to him as  
17 Mykola. That's the Ukrainian version. So I didn't respond  
18 to that, because my focus was the Prosecutor General. That  
19 was actually what the initial part of her request/accusation  
20 was about. So no, she put it in the conversation and I did  
21 not respond to that. I focused on Lutsenko.

22 MR. FOLIO: During the phone call, did Ms. Painter ever  
23 raise Hunter Biden's role on Burisma's board?

24 MR. KENT: To the best of my knowledge she did not, and  
25 as you've seen, I've been actually quite scrupulous in

1 mentioning Hunter Biden in a number of emails. So if she  
2 had mentioned his name I suspect I would have noted that  
3 down.

4 MR. FOLIO: You noted that Ms. Painter said that,  
5 quote, "you would have to answer if you, I, damaged the  
6 reputation of her company." What did you understand her to  
7 be conveying to you with that statement?

8 MR. KENT: That's a bully boy rush, and she--this was  
9 an initial call. She was trying to catch me off-guard, and  
10 I think I've got a documented record of when bullies try to  
11 run over me I push back hard.

12 MR. FOLIO: So can you focus on Footnote 2 at the  
13 bottom of page 346 please?

14 In Footnote 2 you wrote that "When Dan Fried called me  
15 in the summer, asking if I would be willing to talk to  
16 Painter, the subject was Zlochevsky, and allegedly the bad  
17 reputational deal he was getting. I warned Dan this was a  
18 sticky wicket, that Zlochevsky was viewed as corrupt, not  
19 just in Ukraine but by the USG/FBI, that he almost certainly  
20 had paid a bribe to the PGO office (Yarema team) to have  
21 them close a case against Zlochevsky in December 2014 and  
22 issue a letter to that effect to Zlochevsky's lawyer, who  
23 flipped it to a UK judge, who unfroze the assets that the  
24 FBI and"--I think you corrected it, SFO=="had spent months  
25 trying to make a case for asset repatriation, the first and

1 so far only possible case in an effort we collectively have  
2 spent hundreds of thousands of dollars.

3 "Furthermore, the presence of Hunter Biden on the  
4 Burisma board was very awkward for all U.S. officials  
5 pushing an anticorruption agenda in Ukraine. Dan then said,  
6 'Sally's apparently been asked to gather information in an  
7 attempt to convince Hunter to sever the relationship.'

8 Mr. Kent, when you wrote that "the presence of Hunter  
9 Biden on the Burisma board was very awkward for all U.S.  
10 officials pushing an anticorruption agenda in Ukraine," what  
11 did you mean by that?

12 MR. KENT: I meant that people who talk the talk need  
13 to walk the walk, and for the U.S. Government, collectively,  
14 when we talk about the need to have high standards of  
15 integrity, again, as I've said, the presence of him on the  
16 board created the perception of a potential conflict of  
17 interest. And so, you know, whether it's in media or  
18 governmental programs, perceptions matter oftentimes as much  
19 as reality, and so that was my best assessment, which I  
20 repeated, not just I but Ambassador Pyatt and the economic  
21 section, to whomever we talked to--think-tankers like Dan  
22 Fried, U.S. Government in Washington, other parts of the  
23 U.S. Embassy, and mentioning publicly.

24 MR. FOLIO: And you mentioned it a little earlier, but  
25 that's a theme that we've seen is that through of course of

1 several emails over several months you are repeatedly  
2 reminding people of Mr. Hunter Biden's position on the board  
3 and that people should be aware of it as they're making  
4 policy decisions such as ending the USAID MERP relationship  
5 with Burisma, or lobbyists trying to arrange meetings with  
6 U.S. officials. So it seems like this is something you're  
7 asking your staff to account for, or at least be prepared to  
8 address if pushed on it. Right?

9 MR. KENT: For me it's preparing everybody for "what  
10 about-ism," because we're pushing what's right, and we do  
11 what's right, and we have to be prepared for people who are  
12 critics, are opponents, to say, "Well, what about? What  
13 about Hunter Biden?"

14 So there was no time, as I've testified, that the U.S.  
15 Government, the U.S. Embassy ever made a decision about  
16 Zlochevsky or Burisma where we took the presence of a  
17 private citizen on the board into account. We made the  
18 decision on the merits. But others might think otherwise.  
19 And so everyone needed to be aware of what we were dealing  
20 with as we made the right decisions.

21 MR. FOLIO: Right. And we understand you've said that  
22 several times. I think what we're noticing, when we've  
23 talked about how valuable your time is and the time of your  
24 colleagues is that the time that you all spend thinking  
25 about that issue, anticipating that issue, and protecting

1 against the "what about-ism" that you mentioned.

2       So did any Ukrainian officials ever raise that with  
3 you, the "what about-ism," "What about Hunter Biden?" in  
4 response to you trying to advance the anticorruption agenda?

5       MR. KENT: I cannot recall anybody raising Hunter  
6 Biden. We've talked earlier about somebody who became a  
7 critic of U.S. positions and programs, Tetiana Chornovol,  
8 who raised the Burisma-USAID connection. And so that is an  
9 example of why it's better--it was better not to have any  
10 question or reason for others to criticize us.

11       MR. FOLIO: Are you aware of anyone else at the U.S.  
12 Embassy receiving "what about-isms" with regard to Hunter  
13 Biden as they were trying to advance the U.S. anticorruption  
14 agenda in Ukraine?

15       MR. KENT: I am not aware.

16       MR. FOLIO: You mentioned that you raised the issue in  
17 early 2015, when you became aware of it, with the Vice  
18 President's staff. Did you raise Hunter Biden's board  
19 position at any other time while you were at the Embassy in  
20 Ukraine?

21       MR. KENT: Not with other officials. Again, I  
22 registered my concern directly with the Office of the Vice  
23 President. This was not an issue of policy. It was an  
24 issue of a relative. And again, it was not an issue of a  
25 mistake or something that involved U.S. policy or U.S.

1 programs. It involved perceptions.

2 MR. FOLIO: Did any other U.S. officials raise concern  
3 about Hunter Biden's position on the board of Burisma?

4 MR. KENT: Honestly, I cannot--I can say what I raised,  
5 but I don't know.

6 MR. FOLIO: How did you interpret Dan Fried telling you  
7 that, he wrote in Footnote 2, "Sally's apparently been asked  
8 to gather information in an attempt to convince Hunter to  
9 sever the relationship"?

10 MR. KENT: I interpreted that as what Sally Painter had  
11 told Dan Fried.

12 MR. FOLIO: That part of the purpose she was reaching  
13 out was to--I guess I'm just trying to understand if she is  
14 representing the interests of the firm, and we've seen  
15 documents that her position is the firm is not corrupt. I'm  
16 trying to square that with what Dan Fried told you, that  
17 she's trying to convince Hunter to step down.

18 MR. KENT: As I said, it is what it is. You know, I  
19 wrote I heard from Dan, which I understood to be what Sally  
20 told Dan. I've had one conversation with Sally Painter.  
21 This memorialized it. I have been in her presence maybe  
22 three, four, maybe five times at other group events that  
23 were organized by other organizations that we both happened  
24 to attend. But this was the only time that we had a  
25 conversation. It was unscheduled. She reached out to me.

1 I have not sought any other further contact, nor has she or  
2 Ms. Tramontano reached out to me to have a second  
3 conversation.

4 MR. FOLIO: Just one second, please.

5 [Pause.]

6 MR. FOLIO: Just two more questions, Mr. Kent, and then  
7 we'll take a break. So I just wanted to be sure we  
8 understood about the sentence when you said that "Hunter  
9 Biden's position on the Burisma board was very awkward for  
10 all U.S. officials pushing an anticorruption agenda in  
11 Ukraine." Did you mean all officials at the U.S. Embassy,  
12 U.S. officials back in D.C.? What's the scope of officials  
13 you were referring to when you wrote that?

14 MR. KENT: Well, keeping in mind this is an email I  
15 wrote four years ago, I would say officials in Ukraine,  
16 those of us who were on the front lines engaging Ukrainians  
17 daily.

18 MR. FOLIO: And I think Brian had one question, one  
19 last question for you before we take a break.

20 MR. DOWNEY: Mr. Kent, you know, or you you've worked  
21 with Elisabeth Zentos of the USC. Correct?

22 MR. KENT: We've known each other for a number of  
23 years. We've never, to the best of my knowledge, worked in  
24 the same place at the same time, but we've often worked on  
25 the same issues from afar. And so we know each other fairly

1 well.

2 MR. DOWNEY: So two quick questions. Did you ever  
3 discuss with her the information about the Yarema bribe that  
4 you learned about?

5 MR. KENT: I can't recall. What I'm trying to remember  
6 is where she was when that happened. She was at our  
7 Embassy, and then she, I believe, may have gone directly  
8 from the Embassy to the National Security Council, and then  
9 she went into language training. But I don't have the dates  
10 when she was at the National Security Council. So,  
11 honestly, I just can't remember.

12 MR. DOWNEY: Did you discuss your concerns that you've  
13 mentioned in many of your emails about Hunter Biden serving  
14 on the Burisma board? Did you discuss that with Elisabeth  
15 Zentos?

16 MR. KENT: I don't think I would have necessarily had  
17 that conversation, no.

18 MR. DOWNEY: Why not?

19 MR. KENT: She didn't work in the Office of the Vice  
20 President and this is not an issue of government policy or  
21 programs. It's about an issue of the appearance of a family  
22 member of the Vice President. She did not work for the Vice  
23 President.

24 MR. DOWNEY: Would members that work on the NSC with  
25 Ukrainian corruption, would you have discussed your concerns

1 about Hunter Biden serving on the board of Burisma with  
2 those individuals?

3 MR. KENT: To be clear, as I mentioned in my testimony,  
4 I came out for a temporary--I was acting DCM for three weeks  
5 in this period, and then I went back to the United States to  
6 resume my previous responsibilities. And I raised it with  
7 the Office of Vice President, and that was, as I testified  
8 last fall, what I thought was the relevant authority,  
9 because this was not an issue of programs and policies of  
10 the U.S. Government. This was an issue of the Vice  
11 President's family.

12 MR. DOWNEY: So after you raised it with the Vice  
13 President's office did you hear anything back from the Vice  
14 President's office?

15 MR. KENT: Not after that conversation, no.

16 MR. DOWNEY: Why do you think that--why do you think  
17 you didn't hear back from them?

18 MR. KENT: Well, again, I was only in Kiev through  
19 February 14th and then I came back to the U.S. and resumed a  
20 regional job that was not directly in the line of  
21 determining our policy to Ukraine.

22 MR. DOWNEY: Did you make a memo of your conversation  
23 with the Vice President's office? You write very long  
24 emails. I might as well ask.

25 MR. KENT: I did not, and there was a question along

1 that line last fall I think Mr. Castor may have asked. And  
2 I explained the intense operating environment. That was  
3 when the Russians were invading with full armored brigades.  
4 They were seizing territory around Debaltseve in violation  
5 of the Minsk accords, which had just been agreed upon.

6 At the time, Ambassador Pyatt was working 20-hour days.  
7 His emails started between 4:58 and 5:01 in the morning and  
8 they ended between 12:59 and 1:01 in the morning. So he had  
9 an internal clock and he was nonstop.

10 The Embassy had expanded from 150 Americans to 250  
11 Americans. We were trying to oversee and appropriately  
12 administer a massive surge in U.S. assistance that went from  
13 \$130 million of programming a year up to \$700 million of  
14 programming. Something came across my Transcom. I raised  
15 it with the appropriate authority and I went back to do my  
16 job.

17 MR. DOWNEY: Thank you.

18 MR. FOLIO: All right. Let's take a break now. During  
19 the break we will review how much we have left. I think my  
20 preview at this point is we have three more documents, just  
21 to finish this thread. But we'll take a look and see how we  
22 can trim down things.

23 MR. HARTMAN: Great. Thank you.

24 MR. SCHRAM: Joe, just to clarify, you said three more  
25 documents to finish of this thread, and then how many

1 additional threads?

2 MR. FOLIO: This is our final thread. Thank you.

3 MR. SCHRAM: Okay. Can we take 10 now?

4 MR. FOLIO: Sure. 5:15?

5 MR. SCHRAM: Yep.

6 [Recess.]

7 MR. FOLIO: So we're going to enter into the record  
8 what is Exhibit 13 for us.

9 [Kent Exhibit No. 13 was  
10 marked for identification.]

11 MR. FOLIO: The Bates number of this document is 348.  
12 Scroll to the bottom please, Will.

13 So this is an email from someone at Cravath, a U.S. law  
14 firm, to Ambassador Yovanovitch, carbon copying John  
15 Buretta, the attorney. It's addressed to Ambassador  
16 Yovanovitch. Subject line, "Letter from John Buretta."

17 Please scroll up.

18 Ambassador Yovanovitch emails you, Mr. Kent, saying,  
19 "What is this about?" You respond, "This is further to the  
20 Blue Star effort to rehabilitate the reputation of their  
21 non-client in the U.S., Former Ministry of Ecology  
22 Zlochevsky, who clearly has retained the services of a blue  
23 chip law firm (Cravath) and his energy company Burisma,  
24 which in turn as Hunter Biden on its board."

25 Mr. Kent, what did you mean when you said further

1 rehabilitate? What other steps had they taken to date?

2 MR. KENT: Further to, meaning continuation of. The  
3 date of this email is Thursday, 15 September, so it's nine  
4 days after the previous email that we just were talking  
5 about, when I talked about the conversation I had with Sally  
6 Painter. So, if you will, a week and a half later, Cravath  
7 reaches out to Ambassador, directly to her email. And so  
8 she asks, "What is this about?"

9 And so I'm explaining that this is continuing the Blue  
10 Star effort regarding Burisma. And the reason why I put  
11 "non-client" is because I was just repeating what Sally  
12 Painter claimed to me, which is that they did not have a  
13 representational relationship that required them to  
14 register.

15 But I said Zlochevsky, who retained the services of  
16 Cravath, so that is, in my mind, self-evident. You have a  
17 lawyer--this is also--John Buretta was the lawyer listed in  
18 the email that Bohdan Vitvitsky had sent to me several weeks  
19 prior, at the end of August, indicating that the two people  
20 that had met with Lutsenko, according to Lutsenko telling  
21 Vitvitsky, were Buretta and Tramontano.

22 MR. FOLIO: Did you speak with Ambassador Yovanovitch  
23 about this letter?

24 MR. KENT: Well, again, I can't--given the full press  
25 of business, I can't remember exactly everything that may

1 have happened, but what I state here is that she should sit  
2 down--keep in mind, she just arrived at post, so this is her  
3 first couple of weeks in Ukraine as Ambassador. So I  
4 suggested that she sit down with the Legat, the  
5 representative of the FBI, and the resident legal advisor,  
6 and the representative of the Department of Justice, on the  
7 background of the Zlochevsky case.

8       So that was my recommendation. If she wanted to know  
9 what it was about, she should hear what the U.S. law  
10 enforcement community thinks before she further engages the  
11 paid legal counsel of the individual in question.

12       MR. FOLIO: And you suggested that so she could  
13 separate what was the U.S. position on this set of  
14 circumstances as opposed to paid legal counsel. What were  
15 you referring to when you said "the U.S. position on this  
16 set of circumstances"?

17       MR. KENT: Well, I have never had an exchange of views  
18 with John Buretta, but, yeah, my understanding was he was  
19 being paid to represent the interests and the views of Mr.  
20 Zlochevsky. And the U.S. Government, particularly law  
21 enforcement community, had a different opinion based on  
22 their efforts to recover the money-laundered frozen assets.

23       So this is part of getting a new Ambassador up to speed  
24 with the details of an issue that had occurred several years  
25 prior, but then we were now dealing with the consequences,

1 keeping in mind that the initial action was in 2014, and we  
2 were now in late 2016.

3 MR. FOLIO: Did you review the letter that was attached  
4 to this email?

5 MR. KENT: We received it late yesterday, and it's a  
6 30-page combination of a lawyer assertion and the, I think,  
7 a UK court judgement.

8 MR. FOLIO: And just to keep the record clean, we'll  
9 enter this into the record as Exhibit 14.

10 [Kent Exhibit No. 14 was  
11 marked for identification.]

12 MR. HARTMAN: And just so you know, it is correct as  
13 George described it, except there's also a list of 101  
14 exhibits included.

15 MR. FOLIO: Right. The Bates number, if we have that  
16 is Bates 4854 through 4884. And if you have it, Mr. Kent,  
17 I'm just going to ask you a few questions about the cover  
18 letter from Mr. Buretta, not the whole 101 exhibits.

19 MR. HARTMAN: I'm sorry. Would you repeat your Bates  
20 number?

21 MR. FOLIO: 4854--

22 MR. KENT: Yeah. We don't have that.

23 MR. HARTMAN: What we have is 06615.

24 MR. FOLIO: Will, will put it up on the screen for us  
25 and we can make sure, it's the same letter. I'm sure it is.

1 Do you have the letter in front of you, Mr. Kent, or  
2 are you waiting for it on screen?

3 MR. KENT: I presume it's the same letter but I'm  
4 waiting to see. Yes, that's the letter we have, September  
5 15, 2016.

6 MR. HARTMAN: Scroll up just a little bit, or down just  
7 a little bit.

8 MR. FOLIO: Down to that first paragraph, please, Will?

9 MR. HARTMAN: Yes. It appears to be the same one that  
10 we have as Bates number 06615.

11 MR. FOLIO: Okay. Mr. Kent, I'd just like to focus  
12 your attention on that first paragraph. Specifically, Mr.  
13 Buretta wrote that a court in Kiev, quote, "came to the  
14 conclusion that Mr. Zlochevsky is a witness, not a suspect,  
15 in a criminal proceeding, and that no further criminal  
16 procedural measures should be taken against him. The Court  
17 also ordered the Prosecutor General's Office to remove Mr.  
18 Zlochevsky's name from the wanted list, due to a lack of  
19 evidence."

20 Mr. Kent, were you aware of this court ruling?

21 MR. KENT: Not before the paid legal counsel of  
22 Zlochevsky and company sent this letter to the Ambassador.

23 MR. FOLIO: And given the history of Mr. Zlochevsky  
24 being in and out of investigation and in and out of court  
25 cases, how did the department, or how did you view this news

1 that yet another court was reportedly clearing Mr.  
2 Zlochevsky in a criminal proceeding?

3 MR. KENT: Well, I think you have my email reaction.

4 MR. FOLIO: Are you referring to the email we just  
5 looked at or something else?

6 MR. KENT: No. The next email probably.

7 No, we may have looked at it earlier today, but I have  
8 topper on top of reference and I reference a decision by a  
9 corrupt court about a connected oligarch. So it's somewhere  
10 in there. I don't know which email it is but you've got it.

11 MR. FOLIO: Would you mind just summarizing for us?

12 MR. KENT: Well, I mean, the Pechersk court is one of  
13 the two or three most corrupt courts in Ukraine, and many of  
14 the corrupt perversions in the rule of law in Ukraine come  
15 out of that court. It's known to be packed with judges that  
16 are bought agents of oligarchs. So nothing surprises me  
17 coming out of the court of Pechersk.

18 MR. FOLIO: In that second paragraph of the Cravath  
19 letter--Will, if you could scroll down just a little bit,  
20 please--the last sentence reads--Mr. Buretta is writing to  
21 Ambassador Yovanovitch, quote, "Burisma's board of directors  
22 is comprised of, among others, prominent and experienced and  
23 U.S. and European advisers who likewise are committed to  
24 sustainable energy production and legal compliance."

25 Who did you understand to be the "prominent and

1 experience advisers" on the board?

2 MR. KENT: Well, you're asking at that time, in  
3 September 2016?

4 MR. FOLIO: Yes.

5 MR. KENT: To be honest, I wasn't looking to parse a  
6 legal letter from Cravath. As you saw my reaction to the  
7 Ambassador, she needed to talk to our FBI and DOJ  
8 representatives about the case.

9 I want to point out, in the first paragraph, when it  
10 refers to they've directed that he's a suspect, not a  
11 criminal in a proceeding, that essentially tracks with what  
12 I described in January of 2015, a year and a half earlier,  
13 that there had been a case against him that was shut by a  
14 corrupt prosecutor, allegedly a bribe paid, \$7 million,  
15 according to the second-highest prosecutor in the country,  
16 and the case was then directed to become a case against the  
17 ministry, not the minister. And so that would track what  
18 this assertion that he was no longer the suspect but a  
19 witness.

20 MR. FOLIO: What you're describing is two different  
21 decisions that just had similar modus operandi?

22 MR. KENT: That's how money often works in the  
23 Ukrainian justice system, yes. I generally try not to waste  
24 my time and the time of my superiors on parsing information  
25 that likely comes out of a corrupt process. My advice was

1 that she should talk to our lead FBI representative and our  
2 Department of Justice rep.

3 MR. FOLIO: And just looking at this letter today,  
4 based on everything we've reviewed, would you agree that  
5 what Mr. Buretta was referring to, "prominent, experienced  
6 advisers of Burisma's board," he is likely referring to,  
7 among others, Hunter Biden?

8 MR. KENT: I'm not going to speculate. I mean, it was  
9 a public--I don't know if it was a publicly listed company  
10 but it had a website with the board of directors. He didn't  
11 list the names. He just claimed that they had experienced  
12 U.S. and European advisors.

13 MR. FOLIO: We're going to flip to a document that we  
14 already entered into the record. It was previously entered  
15 as Exhibit 4, Bates number 1205. This seems to be the  
16 briefing checklist for Ambassador Yovanovitch.

17 MR. HARTMAN: Joe, just a reminder again, when you turn  
18 your head we can't hear you. I know that's hard because of  
19 your documents.

20 MR. FOLIO: Sorry. I will do better.

21 So, Mr. Kent, this is a briefing checklist in  
22 preparation for Ambassador Yovanovitch's meeting with Ms.  
23 Karen Tramontano from Blue Star Strategies. Who requested  
24 the meeting between the Ambassador and Karen Tramontano from  
25 Blue Star Strategies?

1 MR. KENT: I believe you have other emails which  
2 indicate that Blue Star Strategies reached out for a meeting  
3 with the Ambassador.

4 MR. FOLIO: And why did the Ambassador take this  
5 meeting?

6 MR. KENT: I would say that as a general rule, U.S.  
7 diplomats, when approached by U.S. business, will give any  
8 U.S. business at least one hearing.

9 MR. FOLIO: Did you attend the meeting between the  
10 Ambassador and Karen Tramontano?

11 MR. KENT: I did not.

12 MR. FOLIO: So the memo states, focusing on page 1206,  
13 your advice was that "You should hear Tramontano out on  
14 Zlochevsky's situation but not suggest we will change our  
15 posture on his case."

16 So just to confirm, the posture on his case, was that  
17 the position of the Embassy and the U.S. Government that  
18 we've discussed throughout this interview about Mr.  
19 Zlochevsky and his links to corruption?

20 MR. KENT: Correct. Yes.

21 MR. FOLIO: Do you know if Hunter Biden came up as a  
22 topic of conversation in this meeting?

23 MR. KENT: I don't know.

24 MR. FOLIO: Did Ambassador Yovanovitch ever raise the  
25 issue with you about the presence of Hunter Biden on the

1 Burisma board being very awkward for all U.S. officials  
2 pushing anticorruption agenda, both on the September 16,  
3 that we looked at a couple of minutes ago?

4 MR. KENT: Honestly, I can't tell you that for certain.  
5 She had just arrived, and so it was more we, who were there,  
6 briefing her and giving her our advice, rather than the  
7 other way around.

8 I think my views on the matter were very clear, and  
9 given the nature of my conversation with Ms. Painter, I  
10 think both the Ambassador and I felt it wise that we avoid  
11 any further engagement between me and representatives of  
12 Blue Star Strategies.

13 MR. FOLIO: Turning to page 1207, the second page of  
14 that draft memo, is that where you discuss--the memo  
15 discusses Burisma and USAID--is that a reflection of what we  
16 discussed previously, your decision to pull the plug on the  
17 USAID MERP relationship with Burisma?

18 MR. KENT: Yes, and essentially what this describes is  
19 the exit strategy. We pulled the plug. We said we would be  
20 open to other possible ideas, but we had no intention of  
21 doing anything else.

22 MR. FOLIO: So--

23 MR. KENT: As the briefing memo says, "While keeping  
24 the lines of communication open we do not intend to pursue  
25 any joint cooperation with Burisma."

1 MR. FOLIO: And just to reiterate what we discussed  
2 previously, you made the decision to shut down the program  
3 that basically amounted to about \$7,500 that Burisma had  
4 provided for prizes in a journalism contest. Is that right?

5 MR. KENT: Correct.

6 MR. FOLIO: So even though it was a small amount, you  
7 thought it was that detrimental to have a United States  
8 agency linked to Burisma.

9 MR. KENT: When you're promoting principle to any  
10 corruption action you have to be very by-the-book, and you  
11 have to be prepared for criticism. And so, yes, we were  
12 limiting any possible exposure or any basis for anyone to  
13 question our motives for pursuing the anticorruption agenda.

14 MR. FOLIO: So I think something similar could be said  
15 then, if \$7,500 a month be sufficient to pull the plug in  
16 cooperation with Burisma, \$80,000 a month looks a whole lot  
17 worse, doesn't it?

18 MR. KENT: What are you referring to?

19 MR. FOLIO: I'm referring to the amount of money that  
20 Burisma was paying Hunter Biden, Devon Archer, and others to  
21 serve on their board.

22 MR. KENT: Again, I think that's a question to pose to  
23 Mr. Zlochevsky. As a U.S. Government official, I had  
24 purview over the acts, programs, and engagements of the U.S.  
25 Government. I don't have oversight or a voice into how

1 private companies govern their affairs.

2 MR. FOLIO: So I just want to make sure we cover this,  
3 in the memo we just talk about Zlochevsky's official U.S.  
4 representative, John Buretta, had, quote, "sent a letter in  
5 September asking that the Embassy reconsider its position on  
6 him." Do you understand that to refer to their efforts to  
7 rehabilitate his relationship, as you've described in a  
8 prior email?

9 MR. KENT: That was the previous exhibit we discussed,  
10 the September 15th email that Mr. Buretta sent to Ambassador  
11 Yovanovitch.

12 MR. FOLIO: So in the letter from Mr. Buretta, he  
13 brought to the Ambassador's attention, and your attention,  
14 the closure of the case against Burisma. How did you assess  
15 Prosecutor General Lutsenko at that time seeing yet another  
16 case that apparently was letting Mr. Zlochevsky go?

17 MR. KENT: When I referred to Mr. Lutsenko and his team  
18 settling a case, or downgrading it from money-laundering to  
19 tax evasion and then settling with a payment of back taxes  
20 and a fine, I believe that decision happened after the  
21 moment we're discussing. There are two other emails that  
22 you have, provided by the State Department, that reference a  
23 press account from December 29th. I don't know if you're  
24 going to bring those up. But in terms of sequential order,  
25 the engagement with Buretta, his letter was in September,

1 the meeting with Ambassador Yovanovitch and Karen Tramontano  
2 that we're just talking about is December 8th, and then word  
3 of a settlement of the case came later, at the end of  
4 December, beginning of January.

5 MR. FOLIO: So it seems that in 2014 the Ukrainian  
6 court is investigating Burisma, the British court is  
7 investigating Burisma, through 2015, through 2016, and  
8 across three different Prosecutors General. It doesn't  
9 appear that anyone is able to hold Mr. Zlochevsky  
10 responsible for the money-laundering crimes he's been  
11 accused of. Is that right?

12 MR. KENT: It is accurate to say that no Ukrainian  
13 Prosecutor General took a case into Ukrainian courts and saw  
14 it to conclusion against Zlochevsky.

15 MR. FOLIO: Just turning to our last document for this  
16 one. We're going to mark this Exhibit 14.

17 MR. HARTMAN: I think it's 15, isn't it, Joe?

18 MR. FOLIO: Is it 15? I stand corrected.

19 [Kent Exhibit No. 15 was  
20 marked for identification.]

21 MR. KENT: Yeah, this is the email I was trying to  
22 characterize from memory that's from January of 2017.

23 MR. FOLIO: Oh, sorry.

24 MR. KENT: Do you have the Bates number?

25 MR. FOLIO: Bates number is 27-- [inaudible--audio

1 difficulties].

2 MR. KENT: Speak into the mic.

3 MR. FOLIO: 2768 through 2770.

4 MR. KENT: Yeah. About 10 minutes ago when I was  
5 referring to an email that I knew I had written and that you  
6 had, this was the email.

7 MR. FOLIO: Okay. Great. So this is a January 13th,  
8 starting from the beginning of the chain, the email starting  
9 on 2769 going to 2770, this is a January 13, 2017, email  
10 from Ambassador John Herbst to you, Subject line "Heads Up."  
11

12 And he writes, "George, I wanted you to know before it  
13 becomes public that the Atlantic Council decided to accept  
14 support for its program from Burisma. We looked at the  
15 matter closely and weighed it for over a month. Information  
16 provided to us by a Cravath lawyer for Burisma in the London  
17 case was an important factor, although some uneasiness  
18 remains. Happy to discuss when I am next your way."

19 Why was Ambassador Herbst informing you, or giving you  
20 a heads up about this decision?

21 MR. KENT: Well, as you can see in the email, that I  
22 then forwarded to the Ambassador and another member of  
23 staff, he had come to Kiev the previous fall, and I believe  
24 there are other emails that were provided that referenced  
25 that in September, and talked through looking from my

1 background, understanding how the U.S. Government viewed  
2 Burisma and Zlochevsky. And I was very clear, as I think  
3 I've been today, when asked what exactly the U.S.  
4 Government, the Embassy, I, the FBI, others thought, and as  
5 I note to the Ambassador at the time, he didn't make mention  
6 of the possibility of Zlochevsky sponsoring Atlantic Council  
7 programming.

8       But I think that's why he owed--he felt that he wanted  
9 to give me a heads up, because he'd asked for my best  
10 advice, I'd given him my advice, which basically said stay  
11 away, and ultimately he chose to make a different decision.

12       MR. FOLIO: So in the grand scheme of think tanks and  
13 foreign relations, what does it mean that the Atlantic  
14 Council took program support from a company?

15       MR. KENT: Well, I would say if you look at the  
16 effectiveness in terms of voice on policy, vis-à-vis  
17 Ukraine, the Atlantic Council is arguably the most active.  
18 And I've never worked in a think tank, the way I've never  
19 worked at a university and I've never worked at a lobbying  
20 firm, but I think the challenge for any outfit is what's  
21 your business model? Where is the money coming from? And,  
22 you know, some universities have big endowment. Some  
23 foundations do. Others don't and they need basically to  
24 fund their operations.

25       And so I think I make reference to whom the funders of

1 the Atlantic Council robust Ukraine program, which I find  
2 very helpful in terms of policy efficacy, it's funded by the  
3 Ukraine's richest person, Rinat Akhmetov, one of the other  
4 billionaires, Victor Pinchuk, and then they added Zlochevsky  
5 and Burisma as a sponsor. So that was a decision that  
6 Ambassador Herbst and the Atlantic Council board made to  
7 keep their programming going.

8 MR. FOLIO: And what did you mean by that by saying  
9 it's funded by, and then you have a whole list, and you list  
10 those three names? What was the message you seemed to be  
11 implicitly conveying to Ambassador Herbst?

12 MR. KENT: Well, I'm reminding the Ambassador, again,  
13 you know, this is still early days that these are the people  
14 that the program is funded by.

15 MR. FOLIO: So we've talked a lot about the reputation  
16 of Zlochevsky and Burisma. What was the reputation of  
17 Akhmetov?

18 MR. KENT: Well, he was the richest--is still the  
19 richest man in the country. He, I would say, had a very  
20 mixed reputation early in his career. That would be very  
21 polite. And he was already the richest man in 2004, when  
22 Ambassador Herbst was Ambassador, and after the Orange  
23 Revolution, which ushered in a new government, Viktor  
24 Yushchenko, the two richest people in the country at the  
25 time were Akhmetov and Pinchuk. And Ambassador Herbst's

1 recommendations to both of them at the time, having made  
2 money under the old regime, was "Start giving it away. Do  
3 something for the country. You've made your billions. Now  
4 give it back to the people. Set up a foundation. Do  
5 something that helps the country."

6 And so that was the advice, and they actually took his  
7 advice to varying degrees, Victor Pinchuk immediately.  
8 Akhmetov, it took him the better part of a decade.

9 MR. FOLIO: And what was Mr. Pinchuk's reputation?

10 MR. KENT: He was the son-in-law of the second  
11 President, President Kuchma, the one who was President when  
12 the country's leading investigative journalist was killed.  
13 He gained access to state resources because his father-in-  
14 law was President of the country. And then he--you know, he  
15 runs a diverse business empire. He seems to be cashing out  
16 currently, but he had businesses, everything from media to  
17 steel pipes, and was also a big sponsor of modern art.

18 MR. FOLIO: Would it be helpful to these individuals or  
19 companies, reputationally, to be seen as a funder of  
20 Atlantic Council programming?

21 MR. KENT: Well, I think that it would be fair to say  
22 that when the Atlantic Council need to put together a panel  
23 of experts on any particular given topic then that  
24 oftentimes some of the experts might be affiliated with  
25 individuals. For instance, Akhmetov's chief government

1 relations person is a Scottish chap named Jock Mendoza-  
2 Wilson. And so he sometimes shows up on Atlantic Council  
3 platforms.

4 MR. FOLIO: So is it literally giving them a seat at  
5 the table?

6 MR. KENT: I think that's--in the case of having Jock  
7 Mendoza-Wilson, the only reason that he would be given a  
8 seat at the table is because he represents Akhmetov's  
9 corporate empires as sort of government relations  
10 representative.

11 MR. FOLIO: And with regard to Mr. Zlochevsky, this is  
12 a seat at the table that he was refused not too long ago,  
13 based on his reputation. Is that right?

14 MR. KENT: It was a refusal of the U.S. Government to  
15 engage him or his company. That's correct.

16 MR. FOLIO: And it was a refusal from the Atlantic  
17 Council, based, in part, on the U.S. Government's position  
18 about Mr. Zlochevsky, right?

19 MR. KENT: Well, Ambassador Herbst asked for my  
20 opinion. He did not indicate to me at the time, as I note,  
21 that the Atlantic Council was considering an offer of  
22 funding. What this is is the heads up that he sent to me  
23 Friday the 13th, in January of 2017, subsequent to a  
24 conversation that we'd had in September, three months prior.

25 MR. FOLIO: And you said also that he had made no

1 mention of this as a possibility. So this was--was this  
2 surprising to you to see this change from the Atlantic  
3 Council to go from refusing their money, or Mr. Zlochevsky's  
4 money, to accepting his money?

5 MR. KENT: To be clear, I never said that the Atlantic  
6 Council refused his money. I was not aware that there was a  
7 money on offer. I think my interpretation, John felt so  
8 obliged to inform me because he'd asked for my opinion, I  
9 had, under no uncertain terms, expressed my opinion, and  
10 implicit in that is that he ignored my advice to stay away,  
11 and accepted support for their programming.

12 MR. FOLIO: Give us just one second.

13 [Pause.]

14 MR. FOLIO: Mr. Kent, I think Scott Wittmann has one  
15 question for you and then we'll turn it back over them.

16 MR. WITTMANN: Hi, Mr. Kent. I just wanted to clarify  
17 one--sorry about the echo--I just wanted to clarify one  
18 document that we had previously talked about earlier. It  
19 was Exhibit 10, and it was an article regarding the seizure  
20 of property belonging to ex-Minister Zlochevsky in Ukraine.  
21 We just wanted to make clear that while the article was  
22 published on February 2, 2016, there is no mention in this  
23 article that the seizure of property occurred on February 2,  
24 2016. Instead, the article states that the PGO clarified  
25 that the court satisfied the petition to arrest the property

1 of the ex-Minister, Zlochevsky, that that petition was  
2 satisfied on February 2, 2016.

3 So just to make sure that the record is clear, we just  
4 wanted to give you the chance again to state whether or not  
5 you were aware of any seizure of Mr. Zlochevsky's property,  
6 either during this time period of February 2016 or  
7 beforehand.

8 MR. KENT: Okay. Well, we're back to the document  
9 where the question was asked, and I stated that I was  
10 neither in Ukraine nor aware at the time. What you showed  
11 me was a press statement by the Prosecutor General's Office  
12 making a claim. I don't take that as evidence. I take it  
13 as a statement from an office of someone who is going to be  
14 dismissed by Parliament, which in several weeks. And then  
15 what we were just talking about, that same document, the  
16 previous document, was discussing how claims against  
17 Zlochevsky had been lifted and had been satisfied by a  
18 settlement which had been reached.

19 So I think there's a lot of smoke and mirrors. There  
20 was a legitimate case that froze \$23 million of assets in  
21 the UK in 2014. That seizure, that freeze in the UK was  
22 lifted in part because of a decision by the Prosecutor  
23 General to close the case against him, end of December 2014.  
24 And then there's smoke and mirrors all the way through  
25 December, January 2017, when we have this document, that

1 under Lutsenko there was a settlement reached, payment made,  
2 and at that point, in 2017, Zlochevsky returned to Ukraine  
3 and resumed openly being a businessman running his company.

4 So to restate, while I was studying Ukrainian in the  
5 United States I was not aware of a press release of the  
6 Prosecutor General, who was getting ready to be fired, no.

7 MR. WITTMANN: Thank you.

8 MR. HARTMAN: Just to make sure one thing is clear.  
9 The last document that you just had up, the 9/25/15 article-

10 -

11 MR. WITTMANN: Yes. Yes, sir.

12 MR. HARTMAN: --did you make that an exhibit?

13 MR. WITTMANN: That document was not made an exhibit.

14 MR. HARTMAN: Okay. I just wanted to make it clear,  
15 because obviously we hadn't seen it.

16 MR. WITTMANN: Yes. That was a--this is the document  
17 we were referencing, the current one that's up. The other  
18 one that came up before this was not an exhibit.

19 MR. HARTMAN: Okay. That was a mistake. This is the  
20 one, which has been made an exhibit, I think.

21 MR. WITTMANN: Correct. Yes, sir.

22 MR. HARTMAN: And this is the one that we talked about  
23 before that we didn't have. Okay.

24 MR. WITTMANN: Yes, sir.

25 MR. HARTMAN: Thank you.

1 MR. WITTMANN: And thank you, Mr. Kent, for the  
2 clarification. Zack?

3 MR. SCHRAM: Scott, was that for me? I stepped out.

4 MR. WITTMANN: Sure. No problem. Sorry to catch you  
5 off-guard. Go ahead.

6 MR. SCHRAM: Oh, great. Dan had the opening questions  
7 for this round.

8 MR. GOSHORN: Will, can you give Roy the control to  
9 present documents, please?

10 MR. SACRIPANTI: It's inbound.

11 MR. GOSHORN: So, Mr. Kent, I just want to quote the  
12 loop on what we're just talking about right here, and since  
13 I mentioned it during the majority's time I would like to  
14 put into the record, I think we're on Exhibit K, The  
15 Washington Post Fact Checker article I referenced.

16 [Kent Exhibit K was marked for  
17 identification.]

18 MR. GOSHORN: And I don't know if I actually have a  
19 question for you but I just want it to be on the record, so  
20 it's clear if someone is reviewing the transcript.

21 MR. HARTMAN: Again, that's--we just received that by  
22 email during the course of the testimony. We haven't really  
23 examined it. But we just want to state that for the record.

24 MR. GOSHORN: Yeah. I totally understand.

25 Roy, can you scroll down a bit? There's a section

1 that's called "The Facts" and it's the fourth paragraph is  
2 the first one I want to point out. Again, this article is  
3 discussing the claim that there was a raid on Zlochevsky's  
4 house in February 2016, and the allegation is that this raid  
5 coincided with several phone calls between Vice President  
6 Biden and President Poroshenko. In this article it  
7 summarizes the inaccuracies with that fact pattern.

8       So, Roy, I think you actually--keep going a little bit,  
9 please. Keep going. So stop right there.

10       Just to highlight, "Nevertheless, on February 2, 2015"--  
11 -so this would be the time Yarema was Prosecutor General.  
12 Is that correct, Mr. Kent?

13       MR. KENT: That's correct. That was the day before I  
14 met his deputy to talk about the closed case.

15       MR. GOSHORN: So "the Prosecutor General's Office  
16 seized personal property attributed to Zlochevsky but  
17 legally owned by his family, including a mansion, a luxury  
18 care and plots of land, according to AntAC. The court order  
19 was not published, but journalists eventually exposed what  
20 had happened later in 2015."

21       And then, Roy, if you keep scrolling down. Stop right  
22 there, please.

23       So you can see the paragraph at the top of the screen  
24 that says, "So, on December 25, 2015, the seizure was  
25 cancelled. But the court order was not published until

1 January 27, 2016, and it prompted a public outcry."

2 Mr. Kent, can you speak to this claim that it prompted  
3 a public outcry? Was the investigation of Zlochevsky and  
4 the actions of the Prosecutor General's Office something  
5 that was followed by the Ukrainian public?

6 MR. KENT: Hold on one minute, please. I'm just trying  
7 to read--

8 [Pause.]

9 MR. GOSHORN: I'm sorry. You're welcome to take as  
10 much time as you want to read this article, but I just want  
11 to be respectful of your time as well.

12 MR. KENT: Yeah. You're asking me to try to process  
13 information and assess claims by a variety of partners. I  
14 guess the only thing I would say is prompting a public  
15 outcry, Ukrainians aren't happy when it seems like the court  
16 and Prosecutor General's Office are cancelling seizures of  
17 actions against presumed corrupt individuals. And so  
18 that's, I think, that line. AntAC, again, is the  
19 Anticorruption Action Center, the executive director of  
20 whose house was burned yesterday. And I think they would  
21 assess the public outcry. That's all I would say.

22 This is all inside baseball. I have no way or reason  
23 to assess, and that's all I would say about that.

24 MR. GOSHORN: Okay. And then it says, to finish that  
25 paragraph, "The PGO scrambled to get it reinstated, and the

1 order was published on February 4, 2016."

2 And then, just for the record, Roy, can you scroll all  
3 the way to the bottom? Stop right there.

4 This is the highly scientific Pinocchios rating, and I  
5 just want to point out, for the record, that The Washington  
6 Post rated this Four Pinocchios.

7 So, Mr. Kent, moving on, we spent a lot of time earlier  
8 today discussing how the policy was created regarding Mr.  
9 Shokin, the fact that he was corrupt and the fact that, you  
10 know, his removal and the continued reform of the Prosecutor  
11 General's Office was going to be necessary before the U.S.  
12 could guarantee another loan guarantee. And I wanted to ask  
13 you some questions, and given your expertise, you know, what  
14 documents you believe, or know or believe exist to  
15 memorialize the U.S. Government's actions on this matter?

16 I believe you said before that the process was a  
17 suggestion from Kiev and that it was discussed in Washington  
18 and kind of percolated up to the Vice President from there.  
19 What documents or memoranda or talking points do you think  
20 may have been created as this process unfolded?

21 MR. KENT: Well again, you're asking me a question  
22 about this period of time where I was blissfully learning  
23 Ukrainian language as opposed to being an officer, so for  
24 several months I was not directly in the chain of  
25 communication or decisions. But as I've testified, I

1 believe the idea would be conveyed from the Embassy,  
2 discussed and conveyed in the Embassy, conveyed almost  
3 certainly by Ambassador Pyatt to the State Department,  
4 Assistant Secretary Victoria Nuland, and then there would be  
5 interagency meetings, which are normally memorialized in  
6 statements of conclusions, depending on the level of the  
7 meetings.

8         And then there may or may not have been some of the  
9 trip paper prepared, and as any of us who have been involved  
10 in preparing trips for principles, you've got paper that can  
11 be tasked weeks in advance, and then oftentimes there are  
12 trip meetings and oral briefings, where things are  
13 oftentimes shaded and finally put into final, and then there  
14 are actually new developments. And so at a certain point  
15 there would have been a trip briefing before the Vice  
16 President's trip to Ukraine, or any commentary, and that's  
17 when I think those ideas would have been agreed to be part  
18 of his pitch to President Poroshenko.

19         MR. GOSHORN: Would you characterize, you know, a  
20 decision of this magnitude--I know you said you were  
21 learning Ukrainian at the time, but a decision of this  
22 magnitude as to conditions necessary for the loan guarantee,  
23 would that be something that was well documented at the  
24 State Department?

25         MR. KENT: Well, again, I've described to you the

1 extent I understand a process when I was not part of that  
2 process, having been involved up until Thanksgiving, and  
3 then sort of returning in March for the rest of the year.

4 I certainly supported--I supported that policy. I  
5 probably was part of oral discussions at the Embassy before  
6 I left, and that's why I assert that the idea came from the  
7 Embassy. But I cannot point to specific documents on the  
8 Washington side. And because I was not a Federal record-  
9 keeper on any of those documents, they were not provided to  
10 me before this hearing and I cannot assert to you, you know,  
11 what may or may not be in the, you know, statements of  
12 conclusions and other documents from the Office of the Vice  
13 President.

14 MR. GOSHORN: Okay.

15 So Ranking Member Wyden, in particular, has written a  
16 number of letters to Secretary Pompeo, you know, expressing  
17 concern that he--that the Committees may be acting on an  
18 incomplete record of documents, with regard to the matters  
19 at issue here.

20 So I wanted to draw your attention to the requests that  
21 we're working off of here, and get your expert opinion as to  
22 whether they, you know, fully encapsulate the matter at  
23 hand.

24 Roy, actually, not that document. Could you go back  
25 to--is it Exhibit B, the 9/27/2019 letter from the Chairmen

1 to Secretary Pompeo.

2 MR. KENT: 11/6?

3 MR. GOSHORN: That one. Yeah. B. That's the one.  
4 November 6th. Sorry.

5 And so I know we've discussed this already today and I  
6 don't want to go through the factual allegations again. I  
7 just want to turn your attention to page 4, the actual  
8 document requests. But you're welcome to, of course, take  
9 as much time as you need to refresh your recollection on the  
10 document.

11 MR. KENT: And the first time I saw this document was  
12 yesterday so it's not matter of refreshing a recollection  
13 that I never had. So if you have a question, if you'd ask  
14 it I can try to answer it or say I have no basis--

15 MR. GOSHORN: Sure. Well, to start I'd like to--you  
16 know, you've spent all day discussing with us what we think  
17 our concerns were on this investigation, and so I want to  
18 turn your attention to Point 2 here, and it's a request for  
19 "All State Department records relating to Burisma Holdings,  
20 Rosemont Seneca Partners, Rosemont Seneca Bohai LLC,  
21 Rosemont Capital, and Blue Star Strategies."

22 So on the request for documents relating to Burisma  
23 Holdings, in particular, do you think requesting documents  
24 related to Burisma is sufficient to understanding the U.S.  
25 Government's policy with regard to the removal of Shokin?

1 MR. KENT: I will just repeat what I've tried to say,  
2 both last fall and today. U.S. Government's interest was in  
3 Zlochevsky, the corrupt minister, who enriched and then  
4 probably engaged in money-laundering. People keep asking  
5 about Burisma, the company, but our concern was the behavior  
6 of the corrupt Ukrainian.

7 MR. GOSHORN: And so you think that documents related  
8 to Zlochevsky better highlight--

9 MR. KENT: Well, I'm talking about the substance. I  
10 guess you're asking about the documents. I'm--

11 MR. GOSHORN: We want to know where we should be  
12 looking, and we want to make sure we have a complete record  
13 and we're not making decisions and conclusions based on an  
14 incomplete record. And I know you're an expert. You've  
15 worked at the State Department a long time, and you know  
16 this issue, in particular, very well. And, you know, to the  
17 extent you can help us, it would be--

18 MR. HARTMAN: Can you hold on? Hold on for one minute.

19 MR. GOSHORN: Sure.

20 [Pause.]

21 MR. HARTMAN: We're trying to make sure George can  
22 answer, is equipped to answer. But the truth is, I think,  
23 and George can comment on this, that, you know, the  
24 custodian of records of the State Department would be the  
25 one who would be able to answer questions about what State

1 Department record exist on this, I think. I don't know if  
2 George can add anything to that, but I'm not sure how he's  
3 equipped to decide what records you should be asking for to  
4 cover a particular issue when he's not the custodian of  
5 records. George?

6 MR. FOLIO: And if I could just interject, just for the  
7 record and for your situational awareness, you know, there  
8 is a separate Grassley-Johnson request for all the documents  
9 relevant to the firing of Mr. Shokin, which I believe the  
10 State Department is processing.

11 MR. GOSHORN: I'm sorry, Joe. I couldn't hear you.  
12 What was that?

13 MR. FOLIO: Insofar as your request, is this going to  
14 cover all the documents relevant to the decision to fire  
15 then Prosecutor General Shokin? There is an outstanding  
16 Johnson-Grassley request for that information that the State  
17 Department is processing.

18 MR. GOSHORN: Is there an outstanding--there is not an  
19 outstanding request for documents related to Zlochevsky,  
20 though, are there?

21 MR. FOLIO: I think this is probably a better  
22 conversation to have offline or with the State Department.  
23 But I think the State Department's position is they are  
24 always keeping an eye out for responsive documents.

25 MR. GOSHORN: Yeah. Well, I just wanted to, I guess,

1 note for the record then, if we can't move forward here.  
2 The letter to the State Department, initial request letter,  
3 that is presumably about assembling the facts necessary to  
4 understand why Shokin was removed does not ask for documents  
5 related to Shokin. It does not ask for documents related to  
6 Zlochevsky. It does not ask for meeting records related to  
7 the U.S. policymakers' decisions to advance that policy.  
8 Those requests weren't made until April 30th of the next  
9 year, after Senator Wyden twice requested, actually, those  
10 documents.

11 So we don't have to belabor this any further. I just--  
12 if the witness isn't comfortable with speaking about what  
13 documents may exist, I don't want to try to force him to.  
14 So with that I can pass it over to Zack.

15 MR. HARTMAN: We should be clear, if you want to ask  
16 him about what documents he has, that he is aware of, his  
17 own documents, obviously you can ask that and he'll answer  
18 as best he can and tell you what he did to identify those in  
19 the past.

20 MR. GOSHORN: Yeah, Joe, you're showing me a document  
21 from April 30, 2020. I'm discussing the request on November  
22 6, 2019, and, you know, those are the only documents we've  
23 received so far from the State Department, documents  
24 responsive to this request. So if your position is that you  
25 need the documents from that April 30th request to accurate,

1 you know, conduct this investigation, I think we agree, and  
2 I think we spent a lot of time questioning the witness with  
3 an incomplete record today.

4 MR. FOLIO: My position is I want to be respectful of  
5 Mr. Kent's time. I don't think he's in a position to answer  
6 State Department custodial records, and I think he provided  
7 helpful answers today about his understanding of the firing  
8 of Mr. Shokin.

9 MR. GOSHORN: Yeah, and I just hope, Mr. Kent, that we  
10 don't have to ask you to come back when we get more relevant  
11 documents on this matter.

12 So, Zack, I'm all done.

13 MR. SCHRAM: Mr. Kent, thank you very much. You are a  
14 very patient man and we appreciate your patience with the  
15 Committee. I just have a few more questions.

16 The majority raised Blue Star Strategies in the last  
17 round of questions. On March 3, 2020, Chairman Johnson  
18 stated during an interview on Fox News that the U.S.  
19 consulting firm representing Burisma was, quote, "basically  
20 using Hunter Biden's name to strong arm the State Department  
21 to curry benefits for a corrupt Ukrainian oil company."

22 Mr. Kent, was the State Department successfully strong-  
23 armed?

24 MR. KENT: I think the conversations we've had today  
25 indicate that the State Department had a strong position

1 that Zlochevsky was corrupt and we shouldn't have anything  
2 to do with his company, Burisma.

3 MR. SCHRAM: And your opinion on that matter was not  
4 changed by Blue Star Strategies?

5 MR. KENT: It was not.

6 MR. SCHRAM: And the U.S. Government's position with  
7 respect to Burisma was not changed because of Blue Star  
8 Strategies?

9 MR. KENT: That is correct.

10 MR. SCHRAM: Marking as Exhibit--what do we have now?  
11 L--marking as Exhibit L, and this is not something that was  
12 previously provided but it's a public record and I just have  
13 a brief question about a sentence in it. This is the  
14 December 3, 2019, letter from Chairmen Johnson and Grassley  
15 to Karen Tramontano.

16 [Kent Exhibit L was marked for  
17 identification.]

18 MR. SCHRAM: And I'd just draw your attention to the  
19 second sentence in the opening paragraph, because the  
20 majority's definition of this investigation has changed a  
21 little bit over time. And the question posed in the second,  
22 or the purpose identified in the second sentence reads, "In  
23 addition, the Committees are reviewing whether Hunter Biden  
24 or his associates had any role in the formulation of the  
25 Obama administration's policies with respect to Ukraine."

1           So let's, for the last time this evening, put that to  
2 bed. Did Hunter Biden or his associates have a role in the  
3 formulation of the Obama administration's policies with  
4 respect to Ukraine?

5           MR. KENT: To the best of my knowledge, no.

6           MR. SCHRAM: That's the same answer that you gave this  
7 morning. It's the same answer you gave last fall. It's the  
8 answer that is available to anyone with access to the public  
9 record. It is the answer that is confirmed by the  
10 documents, all of the documents in the Committee's  
11 possession.

12          MR. DOWNEY: Zack, real quick, is there--does that  
13 document have letterhead on it, our letter?

14          MR. SCHRAM: I've printed up a copy from an email just  
15 now--that's a good question. Can we pull the final version?  
16 So it's on your website and I'll read it off the website and  
17 we'll make sure that the letterhead version goes into the  
18 record. Brian, thank you for identifying, just to confirm  
19 I'm reading aloud. [inaudible--audio difficulties].

20          MR. DOWNEY: We can't hear you, Zack.

21          MR. SCHRAM: So the language is the same as the  
22 official version that's on the Committee's website. We'll  
23 make sure that we enter the one with the letterhead into the  
24 record.

25          Brian, does that satisfy your question?

1 MR. DOWNEY: Yeah. Thanks.

2 MR. SCHRAM: Mr. Kent, you were asked about, on several  
3 occasions, whether Hunter Biden's name was raised in the  
4 context of this or that decision of the Obama  
5 administration, and each time you said no. In fact, the  
6 people raising Hunter Biden's name, besides the majority on  
7 the Committee, are the people we've discussed earlier, like  
8 Andrii Telizhenko, Andrii Derkach, Onyshchenko. They've  
9 been doing so publicly, in the press, and seemingly tied to  
10 step taken by this Committee.

11 Does Mr. Telizhenko, Mr. Derkach, and Mr. Onyshchenko,  
12 do those individuals have the American national security  
13 interests at heart?

14 MR. KENT: They are not U.S. nationals and I can't say  
15 their actions support U.S. policy.

16 MR. SCHRAM: Mr. Kent, are you familiar with the Kyiv  
17 Security Forum?

18 MR. KENT: Yes. It's a forum that's established by  
19 former Prime Minister Yatsenyuk.

20 MR. SCHRAM: Can you provide a little more context? Is  
21 it, for example, pro-Western?

22 MR. KENT: Former Prime Minister Yatsenyuk is a pro-  
23 Western figure. Usually they have an annual conference,  
24 usually in April. It was virtual this year. And he  
25 promotes Ukraine's Euro-Atlantic integration, both on

1 economic structures, and he's also a proponent of Ukraine  
2 joining NATO. So it oftentimes focuses on security issues  
3 from a very pro-Western perspective.

4 MR. SCHRAM: The majority asks about the perspective in  
5 Ukraine about Hunter Biden being on the board of Burisma.  
6 We have, in our possession, and I am entering it as Exhibit  
7 M, a statement on the Ukrainian American Strategic  
8 Partnership from the Kyiv Security Forum, with many  
9 signatories, that expresses a view about the Committees'  
10 investigation.

11 [Kent Exhibit M was marked for  
12 identification.]

13 MR. SCHRAM: This was released--it says, according to  
14 this letter it was signed on May 22-23. As a reminder, this  
15 Committee marked up and voted on the subpoena of Blue Star  
16 Strategies on May 20th, and on May 19th, Andrii Derkach  
17 released recordings of conversations between Vice President  
18 Biden, President Poroshenko, and made many allegations,  
19 including some related to the subject of the majority  
20 investigation.

21 I draw your attention to the fourth--fifth, rather--  
22 fifth paragraph, short paragraph in this letter, which  
23 reads, "We call on American leaders to distinguish between  
24 the position of new Ukraine, which stands for the unity of  
25 the West and acts to unite democracies around the world, and

1 those forces that seek to turn the political developments in  
2 our country into a toxic narrative to sow discord among our  
3 partners.

4 "We oppose the dishonest attempts to use the political  
5 controversies in the United States. We do not choose any  
6 side, but support each of them in the same way that they  
7 together help Ukraine's independence.

8 "We call on America's leaders to distinguish between  
9 the position of our nation from the actions of politicians  
10 instigated by Moscow."

11 I just offer you an opportunity to opine on this  
12 letter, if you're interested.

13 MR. KENT: I'll just say two things. Again, this is in  
14 accord--this is former Prime Minister Yatsenyuk's vehicle.  
15 His long-time foreign policy advisor, Danylo Lubkivsky, a  
16 former Deputy Foreign Minister, showed me, as I recall, this  
17 statement after they issued it, and it was directly in  
18 response to Derkach's release of the first batch of tapes,  
19 as you mentioned, several days earlier.

20 MR. SCHRAM: Mr. Kent, when you were asked, for it must  
21 have been the 100th time this afternoon, about the influence  
22 of Hunter Biden's role on the board of Burisma with respect  
23 to the formulation of Obama administration policy, you said,  
24 at one point, "We were pushing what's right, doing what's  
25 right." Who is the "we" in that sentence?

1 MR. KENT: U.S. Government and, I would say, Ukrainian  
2 civil society.

3 MR. SCHRAM: And the U.S. Government would include, of  
4 course, you, the Ambassadors you worked for. Would it also  
5 include the Vice President, Vice President Biden?

6 MR. KENT: I would say it would include, as I started  
7 my opening comments, it would include officials of both  
8 administrations, the current one and the previous one, and  
9 it would include people of Congress, Members of Congress,  
10 particularly appropriators, who have supported Ukraine with  
11 very generous resources. And I would say, as a member of  
12 the administration, Congress has appropriated above the  
13 administration requests consistently since 2014, for which  
14 Ukrainians and those of us working on Ukraine are very  
15 grateful.

16 MR. SCHRAM: Finally, just to respond to the majority's  
17 point, based on our consistent concerns about this  
18 investigation using this disinformation, the majority  
19 observed that minority introduced into the record what, Mr.  
20 Kent, you identified as disinformation with respect to the  
21 Derkach chart. I would just add that the minority  
22 introduced that into the record to provide the witness the  
23 opportunity to critique it, to identify it, to call it out  
24 as disinformation. This record is rife with disinformation  
25 that the majority has entered into the record, but not to

1 critique it, rather to lend it credibility and to provide as  
2 the platform of the United States Senate.

3 Mr. Kent, we very much appreciate your time and your  
4 service to this country. Thank you for your participation  
5 today.

6 MR. KENT: Thank you for the invitation.

7 [Pause.]

8 MR. WITTMANN: Hi, Mr. Kent. We're almost done, I  
9 promise, and thank you again for your time.

10 I'd like to go to Exhibit 16, please. This is a  
11 December 8, 2015, New York Times article, written by James  
12 Risen, entitled "Joe Biden, his son, and the case against a  
13 Ukrainian oligarch."

14 [Kent Exhibit No. 16 was  
15 marked for identification.]

16 MR. WITTMANN: I'm trying to get it on the screen right  
17 now.

18 MR. HARTMAN: And again, Scott, just for the record--

19 MR. WITTMANN: Sure.

20 MR. HARTMAN: --this is not something we've seen, I  
21 think. Correct?

22 MR. WITTMANN: That is correct, unless you read the  
23 article when it was published, which actually is going to be  
24 our question, Mr. Kent, for you, and perhaps you can comment  
25 on that, if you're familiar with it, just by the title of

1 it. But I'll wait until you have it in front of you to ask

2 it. Just let me know whenever you're ready.

3 MR. KENT: It's on my screen. I'll tell you when I--

4 [Pause.]

5 MR. KENT: Okay. Okay. Yeah, you can page down the  
6 next screen.

7 [Pause.]

8 MR. KENT: Okay.

9 [Pause.]

10 MR. KENT: Okay.

11 [Pause.]

12 MR. KENT: Okay.

13 MR. WITTMANN: Mr. Kent, do you remember whether you  
14 saw this article when it was published?

15 MR. KENT: I don't recall, honestly. I will say that  
16 at the time I did not have a subscription to The New York  
17 Times, electronically.

18 MR. WITTMANN: Noted. Did this article ever come up in  
19 any discussions regarding Hunter Biden's role on Burisma's  
20 board?

21 MR. KENT: Discussions between whom?

22 MR. WITTMANN: Sure. Discussions between you and your  
23 colleagues, any time that you had raised concerns about  
24 Hunter Biden's role on Burisma's board?

25 MR. KENT: I would say that this article accurately

1 reflects things that I've said multiple times today about  
2 the--how the case against him was closed, and why, and the  
3 U.S. Government's concerns about it. It quotes Geoff  
4 Pyatt's speech, which I had referred to. So we don't need  
5 The New York Times to report what we are saying. We know  
6 what we're saying and what our positions are.

7 MR. WITTMANN: Thank you.

8 Were you aware of a Ukrainian delegation meeting with  
9 U.S. officials in Washington, D.C. between January 18th and  
10 January 23rd, 2016?

11 MR. KENT: Again, that was the period of time, this  
12 three-and-a-half-month period where I was learning  
13 Ukrainian, so I was in Arlington but not going to work at  
14 the State Department. I believe, however, I was aware that  
15 the delegation was coming to Washington, which is different  
16 than a meeting that you're asking about.

17 MR. WITTMANN: And what was your awareness of the  
18 delegation coming to Washington? What was the time period  
19 for that?

20 MR. KENT: Perhaps coterminous. I think the--based on  
21 the reporting that has been in the press, this was a  
22 delegation that involved--first of all, I was accompanied by  
23 our Department of Justice representative, whose job it was  
24 to build capacity in the justice system. He brought the  
25 heads of two new organization, with whom we worked closely,

1 the head of the National Anticorruption Bureau and the  
2 special anticorruption prosecutor, as well as the reformist  
3 Deputy Prosecutor General. And so this was part of our  
4 effort to build capacity to address corruption. As I said  
5 in my opening comments, the need was to investigate,  
6 prosecute, and then bring--render justice to corrupt  
7 individuals. And these three individuals played key roles  
8 in those attempted efforts to build an anticorruption  
9 ecosystem that was effective.

10 MR. WITTMANN: Do you know who that delegation met  
11 with?

12 MR. KENT: I do not. I was aware that this trip was in  
13 planning, and that sort of trip makes sense, and we were  
14 trying to foster interagency cooperation. But beyond that,  
15 the details I don't know.

16 MR. WITTMANN: Do you know whether Mr. Telizhenko  
17 attended any of the meetings with that delegation?

18 MR. KENT: There are press reports but I do not have  
19 any contemporary knowledge of who was in what meetings.

20 MR. WITTMANN: Were you aware of any meetings occurring  
21 between U.S. officials and Ukrainian officials that included  
22 discussions about the Prosecutor General Office's  
23 investigation, or lack thereof, of Burisma?

24 MR. KENT: Can you restate the question clearly,  
25 please?

1 MR. WITTMANN: Sure. Did you have any--were you aware  
2 of any meetings between U.S. officials and Ukrainian  
3 officials that included discussions about the PGO's  
4 investigation, or lack of investigation, into Burisma?

5 MR. KENT: On this trip?

6 MR. WITTMANN: No. General question.

7 MR. KENT: I've referred--yes, because multiple times  
8 today I've described my meetings, where I raised, "Why  
9 aren't you prosecuting Zlochevsky?"

10 MR. WITTMANN: You raised that to Ukrainian officials?

11 MR. KENT: As I've said today, I raised it with the  
12 First Deputy Prosecutor General Danylenko on February 3,  
13 2015. As I've also said today, I raised with Prosecutor  
14 General Yuri Lutsenko on or about the 1st of September,  
15 2016. So over a span of a year and a half with multiple  
16 Prosecutors General I raised, "Why aren't you prosecuting  
17 Mykola Zlochevsky?"

18 MR. WITTMANN: Did you ever raise--in addition to you  
19 raising that issue, were you aware of any of your colleagues  
20 raising that similar issue to Ukrainian officials?

21 MR. KENT: Yes. Ambassador Pyatt almost certainly did  
22 it. He did it--we don't say things in public like he did  
23 without raising it repeatedly in private. But I can't give  
24 you dates. I can just tell you he did it.

25 MR. WITTMANN: Understood.

1 MR. KENT: He probably did it with the President of the  
2 country.

3 MR. WITTMANN: Understood. Did you ever raise this  
4 issue to Mr. Shokin or anyone in Mr. Shokin's office?

5 MR. KENT: As I testified before, I never scheduled a  
6 meeting with Shokin. He didn't want to meet with us. And  
7 the one chance encounter I had was a Kabuki drama, where he  
8 tried to make the appearance of agreeing to establish an  
9 inspector general unit. So the answer, in short is no, I  
10 did not raise it with Shokin, but our position was clear.

11 MR. WITTMANN: Thank you.

12 Based on public reporting, Vice President Joe Biden and  
13 Ukrainian President Petro Poroshenko had numerous phone  
14 calls. Did you or any State Department officials join these  
15 phone calls?

16 MR. KENT: It is possible that Ambassador Pyatt was on  
17 some of the calls. I can't give you a straight yes or no  
18 answer, but I believe that's true. I think it's possible.

19 MR. WITTMANN: Understood. Thank you.

20 Were you involved in any preparations for these phone  
21 calls?

22 MR. KENT: One of the phone calls, I was involved in  
23 the preparation because Ambassador Pyatt was not there.

24 MR. WITTMANN: Do you recall--I'm sorry. What was the  
25 date of that call?

1 MR. KENT: To be honest, I have no idea. I mean, they  
2 talked frequently, but I was--I prepared--I participated in  
3 one of the pre-call sessions.

4 MR. WITTMANN: Could you describe what type of  
5 preparations went into those discussions?

6 MR. KENT: Well, I would say it was a bit of a Socratic  
7 process, where Vice President Biden took the proposed  
8 talking points, tore them apart, asked specific questions to  
9 his advisors, whoever was in the room, to Assistant  
10 Secretary Nuland, who was on the line, and to whom I  
11 deferred. I cannot remember actually if I even  
12 participated, but I was there in case they needed a voice  
13 locally.

14 I was very impressed by the thoroughness of the  
15 preparation for the call, and I can tell you that the call  
16 made him--gave him the information that he then synthesized,  
17 and he delivered it far more effectively than everyone who  
18 had prepared talking points.

19 MR. WITTMANN: So based on that comment, it sounds like  
20 you got some sort of read-out or memo about what was said on  
21 the calls. Is that accurate?

22 MR. KENT: For that particular call, yes. And again, I  
23 apologize for not being able to identify, with specificity,  
24 what the call or the specific content was.

25 MR. WITTMANN: So that was for the call that you

1 participated in the preparation. What about the other  
2 calls? Were there any briefings or readouts that either you  
3 received or that you know were distributed to others?

4 MR. KENT: There were other calls, and Ambassador Pyatt  
5 would have participated in those preparations.

6 MR. WITTMANN: And would he, or other participants,  
7 have received readouts or briefings following the phone  
8 calls?

9 MR. KENT: To be honest, I've never worked in the  
10 Office of the Vice President so I'm not sure what the  
11 procedures are for vice presidential calls. But he would  
12 have gotten some sort of substantive readout from someone.

13 MR. WITTMANN: And in your preparations, you mentioned  
14 that the preparations for this call involved working  
15 directly with the Vice President. Is that correct?

16 MR. KENT: Right. My recollection is that before--he  
17 didn't just pick up the phone and pick up the call sheet.  
18 He had a conversation with advisors and challenged them on  
19 why they had recommended certain points, so he could fully  
20 understand the issue, and then he synthesized the  
21 information to present it in his own way.

22 MR. WITTMANN: And in addition to--you also mentioned  
23 Ms. Nuland participated on the one prep that you attended.  
24 Were there any participants that you remember?

25 MR. KENT: There were other people who represented the,

1 you know, his office. There may or may not have been  
2 somebody from the NSC. I honestly don't remember.

3 MR. WITTMANN: Who would have been, if there was a  
4 participant from NSC, who was that person?

5 MR. KENT: Charlie Kupchan was the Senior Director for  
6 Ukraine, and other countries, at the time, so he would have  
7 been the person most likely.

8 MR. WITTMANN: Thank you. Josh?

9 MR. FLYNN-BROWN: Mr. Kent, thank you for your time.  
10 Just a couple quick follow-up questions here.

11 Regarding your determination of Hunter Biden being on  
12 Burisma's board created the perception of a potential  
13 conflict of interest, how many times during your career have  
14 you raised that as a concern?

15 MR. KENT: Can you restate the question--raise  
16 specifically about Hunter Biden or about a perception of--

17 MR. FLYNN-BROWN: Well, generally during the course of  
18 your career, how many times have you raised the perception  
19 of a potential conflict of interest, for any certain fact  
20 pattern that you've been exposed to?

21 MR. KENT: I would say that I have a fairly high  
22 standard of moral ethical conduct, and so I think anyone who  
23 has worked with me knows that I hold myself to high  
24 standards and I hold others as well.

25 MR. FLYNN-BROWN: So you would have experience then in

1 knowing what satisfies that particular standard?

2 MR. KENT: Well, again, there are legal standards, and  
3 I think that's not what we're discussing here. We're  
4 talking about perceptions. One email I wrote was The  
5 Washington Post desk, and [inaudible--audio difficulties]  
6 people to think through, in the case of that conversation  
7 that I was having with our Embassy staff in August of 2016,  
8 to think through the implications, the moral hazard issue,  
9 and whether it made sense for any U.S. Government, no matter  
10 how many times removed, to have any association. And that  
11 issue is not [inaudible--audio difficulties] a company that  
12 had been the subject of joint U.S. law enforcement action.  
13 And that goes back to the fiduciary responsibility.

14 MR. FLYNN-BROWN: We're having a little audio trouble  
15 here but I think I understood what you just said well enough.

16 Next question here. So do you know why Lutsenko wanted  
17 to meet with John Podesta?

18 MR. KENT: He told me he thought Hillary Clinton was  
19 going to win and he wanted to meet the chief of staff of the  
20 President of the United States.

21 MR. FLYNN-BROWN: So Lutsenko, was he friends or  
22 acquaintances with John Podesta?

23 MR. KENT: He never met him, to the best of my  
24 knowledge.

25 MR. FLYNN-BROWN: So he wanted to meet him for business

1 purposes then.

2 MR. KENT: He is a politician who spent some times as  
3 Prosecutor General. He made no secret of his aspiration to  
4 run for President or be the next Ambassador. So he wanted  
5 to be a politician to meet politicians.

6 MR. FLYNN-BROWN: Do you know if he ever did meet with  
7 Mr. Podesta?

8 MR. KENT: To the best of my knowledge, no.

9 MR. FLYNN-BROWN: Do you know if he met with anyone  
10 from the Hillary Clinton campaign?

11 MR. KENT: He didn't go to the United States for  
12 another two years.

13 MR. FLYNN-BROWN: So I think Mr. Downey brought this  
14 issue up earlier in questioning. I just want to make sure  
15 that we have a clear record here.

16 So it is correct that you had no communications with  
17 employees at the National Security Council regarding Burisma  
18 or Hunter Biden?

19 MR. KENT: As I said, to the best of my knowledge,  
20 besides that phone call that was a moment of opportunity  
21 initiated by the Office of the Vice President, to talk to  
22 the Ambassador, who was not there, that was my one shot  
23 dance of concern. I left the Embassy that weekend to come  
24 back to the United States, and having registered my concern  
25 with the Office of the Vice President I did not further

1 raise the issue.

2 MR. FLYNN-BROWN: With respect to--

3 MR. KENT: To the best of my recollection. And again,  
4 we're talking five and a half years ago.

5 MR. FLYNN-BROWN: I understand. So the National  
6 Security Council then isn't generally in the reporting chain  
7 for you. I don't know if "reporting chain" is the proper  
8 term, but it sounds like the NSC is generally not in the  
9 communication conduit for you. Is that accurate?

10 MR. KENT: It would be accurate to say that embassies  
11 are responsive to the State Department. There is an  
12 interagency process, and there is a lot of communication  
13 between the National Security Council and the State  
14 Department. Sometimes it's a three-way communication with  
15 embassies. And during the previous administration, because  
16 Vice President Biden played an active role on Ukraine, his  
17 staff was an active participant in the interagency process.

18 MR. FLYNN-BROWN: Thank you, Mr. Kent. We appreciate  
19 your time today.

20 MR. FOLIO: Mr. Kent, this is Joe Folio. I think  
21 that's all for the majority. We want to emphasize, we  
22 appreciate your generosity with your time.

23 MR. SCHRAM: Joe, we can't hear you. I'm really loathe  
24 to prolong this but I do want to hear your closing words.

25 MR. FOLIO: Can you hear me now?

1 MR. SCHRAM: We can hear you now, yes.

2 MR. FOLIO: Great. Mr. Kent, thank you very much. You  
3 have been very generous....

4 MR. SCHRAM: We can't hear you now.

5 MR. FOLIO: Thank you, and good night.

6 MR. SCHRAM: That works.

7 MR. FOLIO: Thank you very much.

8 Ms. Gray, thank you as well.

9 [Simultaneous discussion.]

10 MR. HARTMAN: Joe, we'll be in contact with you about  
11 the timing for reviewing the transcript?

12 MR. FOLIO: Yes.

13 [Whereupon, at 6:41 p.m., the interview was concluded.]

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# Joe Biden emerges as Obama's trusty sidekick

by Susan Crabtree | April 25, 2014 12:00 AM

Vice President Joe Biden has become the public face of the administration's handling of Ukraine, working to reassure Kiev and trying to talk tough with Russia.

During a whirlwind two-day visit to Ukraine, Biden met with the country's leaders and announced an additional \$50 million in aid. At a press conference, he delivered a lecture to Russian President Vladimir Putin, telling him to “stop talking and start acting” to defuse the crisis.

With no diplomatic end in sight, it's a high-stakes role for a vice president whose foreign policy chops were publicly mocked by former Defense Secretary Robert Gates, who wrote in a memoir published in January that Biden was “wrong on nearly every major foreign policy and national security issue over the past four decades.”

Any missteps or another Russian land grab could prove fatal to Biden's political ambitions as he weighs a 2016 presidential bid. Critics say it will be hard for the vice president, a former chairman of the Senate Foreign Relations Committee, to separate himself from the administration's policy on Ukraine.

After his trip, late-night comics took aim at the vice president's tendency to run at the mouth and make gaffes, joking that Putin — and everyone else — had long stopped listening to Biden.

Republican lawmakers were also unimpressed by his calls for the Kremlin to stop backing Russian separatists.

“Or else what?” asked Sen. John McCain, painting the vice president as the front man for an administration unwilling to take tough action against Russia.

Indeed, after Biden left Ukraine, it seemed that nothing had changed. Tensions with Moscow remain high, and Russian militants show no signs of backing down in eastern Ukraine.

But Biden's raising of the American flag in Kiev wasn't without benefit for President Obama, who was able to carry on with a week-long trip to Asia. And Biden's public diplomacy revealed Obama's new trust in his No. 2.

“So Biden talks a lot -- so what?” said James Goldgeier, dean of American University's School of International Service and a veteran of the Clinton White House's national security team. “The vice president has been extremely valuable to Obama --he's done everything the president

could have asked for and more.”

The relationship between Obama and Biden is on the upswing following their 2012 low when the undisciplined -- but authentic -- vice president publicly supported [gay marriage](#) before the White House was ready to make the leap. Biden so angered the president's team that they reportedly froze him out of key meetings.

Since then, Obama has often turned to Biden to help in foreign policy binds — even if the assist only involves dispatching him to hot spots to repeat the administration's line.

Despite giving his vice president a chance to raise his foreign policy credentials, Obama has stayed neutral about Biden's political future.

“He has been, as I said earlier, a great partner in everything that I do,” Obama said, as he sat next to Biden in an interview.

“I suspect that there may be other potential candidates for 2016 who have been great friends and allies,” he added -- an awkward reference to former Secretary of State [Hillary Clinton](#), who vastly outpolls other Democrats and whose presumed candidacy has frozen Biden in place.

At the same time, Clinton has political vulnerabilities. Her own foreign policy record is under scrutiny, especially now that her much-touted “reset” with Russia is in tatters. Clinton's “what difference does it make” remark during the [Benghazi](#) hearings cemented Republican views that the administration mishandled the terror attack that killed four Americans.

Still, Obama's relationship with Biden appears to be on the mend, possibly out of sheer necessity or long-term loyalty. The president has shown a new warmth in their relationship, posing for a selfie with Biden and joking that the two were on a “guys' trip” when they visited [Pennsylvania](#).

Biden for his part has expressed comfort with acting publicly on Obama's behalf even as the president's poll numbers droop and his policies face tough criticism.

“There is nothing I would do differently,” Biden said about carrying out his job as he weighs future plans.

Many insiders believe Biden is keeping his name in the presidential mix because it's better to keep people guessing than declare the end of his long career while still in office. But Biden has made it clear he'll enjoy the ride while it lasts.

**From:**Kent, George P  
**Sent:**Tue, 6 Sep 2016 09:55:14 -0400  
**To:**Brink, Bridget A;Andrews, Jorgan K  
**Cc:**Yovanovitch, Marie L  
**Subject:**Bullying, threatening call by Blue Star's Sally Painter (Re Lutsenko)

Bridget, Jorgan:

Need to give you a heads up that I took a call just now from Sally Painter from Blue Star Strategies, the first time we have interacted. I am confident it will be the last. Nearly simultaneously her boss, Karen Tramontano, called on the other line asking to talk to the Ambassador (who is out on the run the rest of the day, event to event).

Painter adopted a hostile, aggressive tone from the outside, and was rude and accusatory throughout. It was unlike any conversation I have had in my 24+ years in the foreign service, and completely inappropriate on her part. She ended the conversation by saying that she would take the matter up with "The Under Secretary." (NFI)

The topic/issue was Prosecutor General Yuri Lutsenko, and his now cancelled plans to come to Washington – a trip that Blue Star had apparently been arranging.

I wasn't able to scribble notes to follow the specific accusations and bullying remarks. The crux of the accusation was that I had allegedly damaged her/firm's reputation to Lutsenko, and allegedly told him not to have anything to do with them (for the record: I did not tell him that. Full stop). She then proceeded to make rambling reference to "not representing Nikolai in the US" (I presume this is Zlochevsky), "because he has legal representation in the US, or Burisma" (Zlochevsky's company), and that she had represented Yushchenko's interests in the US for five years, and knew what was legal and what was not, and when it was required to register, that she was on the board of the Atlantic Council, and on a pro bono basis had been happy to arrange something with John Herbst (ie, for Lutsenko to speak), and that they also had offered a private dinner for Lutsenko that she and her partner Tramontano would have hosted for Lutsenko at no cost, to invite various people, important people, including Melanne Veveer, who was by the way close to former Secretary Clinton.

After I let her vent for close to five minutes and she reached a pause, I pointed out that we had never previously talked. I noted that her tone and accusations, including outright misrepresentations of my conversations with Lutsenko, was an odd way of initiating a first time conversation. I stated that the first time I had ever heard her name had been earlier this summer, when Dan Fried called and asked me if I would be willing to talk to her. I told Dan I would, and had passed my number. Painter jumped in and said: "you never called back." I reiterated that Dan had asked me if I would be willing to talk to her; I had said yes, and passed him my number, and never heard anything further.

I told her that, given the aggressive, threatening, bullying tone she had adopted and her misrepresentations of what I had said in the course of diplomatic discussion, I was within norms and my rights simply to wish her good day and hang up. I instead offered a partial reset, if she were interested (she was). I told her that I had met the Prosecutor General to talk about his proposed trip. I had given him the general advice that for a trip to Washington on which he would look to engage the USG, it made sense to work primarily through the US embassy here and the Ukrainian embassy in Washington. We

became aware of the trip because a senior DOJ official had reached out to the embassy for our reaction and what we knew of the trip.

Painter broke in at this point and said: "we know that. Government to government meetings would be the responsibility of the Ukrainian embassy." This is in fact a false statement by Painter. Blue Star, through an associate who traveled with Tramontano to Kyiv in July and was previously a DOJ political appointee, reached out to DOJ itself; Bruce Schwartz then called RLA Jeff Cole about the visit. That is how we learned of the trip. I subsequently reached out to the Ukrainian acting DCM, Oksana, who indicated she knew nothing of the request to DOJ.

Beyond arranging govt-govt meetings, I continued, I had suggested to Lutsenko that the proposed timing of his trip (25-27 Sept) was not the best, because of UNGA and attention on international relations focused on New York in the second half of September, and the election season, with key people on the Hill out on the stump six weeks before the general election. That suggested an earlier or later trip.

Ukrainian officials had been known to have relations with third parties for other events, and that was their business. Ours was bilateral relations, and that had been my focus.

When Painter went back into interrogative mode, asking whether I had mentioned her company, I told her that it would not be appropriate to share the content of my conversation with the Prosecutor General. She referenced an email that Lutsenko sent "her" (Blue Star), and said I would have to answer if I damaged the reputation of her company, and that she would take it up with the Under Secretary (unspecified).

At that point, I told her I could not and would not presume to characterize Lutsenko's private correspondence, while reminding that she had mischaracterized my conversations with Lutsenko. I wished her good day, and told her the conversation was over. And went back to my regularly scheduled business, since I had kept the visiting regional medical officer waiting in the meantime.

--

Footnote1: Lutsenko told me he did not know who exactly had come to Kyiv and talked to him in July about coming to Washington. He said Blue Star had promised they could arrange access to high levels of the Clinton campaign, including someone who might lead her White House (my guess: Podesta, head of the campaign, for whom Tramontano worked in the last year of the Bill Clinton White House). The political angle of the trip is what interested him. I pulled up the Blue Star website on my phone and showed him photos of Tramantano (he said: "that's her"). I showed him a picture of Painter (right underneath); he shook his head and replied: "never seen her."

Footnote 2: When Dan Fried called me in the summer, asking if I would be willing to talk to Painter, the subject was Zlochevsky, and allegedly the bad reputational deal he was getting. I warned Dan this was a sticky wicket, that Zlochevsky was viewed as corrupt, not just in Ukraine but by the USG/FBI, that he almost certainly had paid a bribe to the PGO office (Yarema team) to have them close a case against Zlochevsky in December 2014 and issue a letter to that effect to Zlochevsky's lawyer, who flipped it to a UK judge, who unfroze assets that the FBI and MI5 had spent months trying to make a case for asset repatriation – the first and so far only possible case, in an effort we collectively have spent hundreds of thousands of dollars. Furthermore, the presence of Hunter Biden on the Bursima board was very awkward for all US officials pushing an anti-corruption agenda in Ukraine. Dan then said: "Sally's apparently been asked to gather information in an attempt to convince Hunter to sever the relationship." I said he was free to pass my name and number to her, and I would be as forthright about

Zlochevsky and Burisma as I had been to him. I heard nothing further. From the conversation today with Painter, it would appear she is on a first name basis with Zlochevsky.

Footnote 3: after we learned of the possible Lutsenko trip by the DOJ-RLA interaction, I discussed with RLA, LEGATT, and INL possible next steps. We agreed I would SMS Lutsenko to seek confirmation of his plans, both to travel to DC and to use of a third party rather than embassies to arrange the trip. He responded with a request to meet one on one to discuss. We did – it slipped from Friday to Saturday, because on Friday Lutsenko released the Illovaik report regarding the August 2014 tragedy, and who was at fault (in short: the Russians, for invading/killing hundreds of Ukrainians after offering free passage; but “mistakes were made” by the Ukrainian general staff).

Sensitive  
This email is UNCLASSIFIED.

**From:** Kent, George P  
**Sent:** Tue, 22 Nov 2016 00:46:32 -0500  
**To:** Andrews, Jorgan K; [REDACTED]  
**Subject:** Fw: Meeting request from Ambassador Herbst

Meet with Herbst, to talk about zlochevsky okay.

Meet with zlochevsky no - not under any circumstances.

I shut down the ill-advised USAID co-branding effort for precisely this perception challenge.

Sent from my BlackBerry 10 smartphone.

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 22, 2016 7:39 AM  
**To:** Kent, George P  
**Cc:** [REDACTED] Purcell, Alan S; [REDACTED]  
**Subject:** FW: Meeting request from Ambassador Herbst

FYI. We will respond on the HS.

SBU  
This email is UNCLASSIFIED.

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 22, 2016 12:14 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Meeting request from Ambassador Herbst

We found that he was a minister under Yanukovich & looks like Pyatt called him out by name (see NYT excerpt below). On the other hand, USAID seems to have worked with Burisma on energy efficiency. Feel free to respond on high-side.

[http://www.nytimes.com/2015/12/09/world/europe/corruption-ukraine-joe-biden-son-hunter-biden-ties.html?\\_r=0](http://www.nytimes.com/2015/12/09/world/europe/corruption-ukraine-joe-biden-son-hunter-biden-ties.html?_r=0)

“That month, as part of an investigation into money laundering, British officials froze London bank accounts containing \$23 million that allegedly belonged to Mr. Zlochevsky. Britain’s Serious Fraud Office, an independent government agency, specifically forbade Mr. Zlochevsky, as well as Burisma Holdings, the company’s chief legal officer and another company owned by Mr. Zlochevsky, to have any access to the accounts. But after Ukrainian prosecutors refused to provide documents needed in the investigation, a British court in January ordered the Serious Fraud Office to unfreeze the assets. The refusal by the Ukrainian prosecutor general’s office to cooperate was the target of a stinging attack by the

American ambassador to Ukraine, Geoffrey R. Pyatt, who called out Burisma's owner by name in a speech in September.

"In the case of former Ecology Minister Mykola Zlochevsky, the U.K. authorities had seized \$23 million in illicit assets that belonged to the Ukrainian people," Mr. Pyatt said. Officials at the prosecutor general's office, he added, were asked by the United Kingdom "to send documents supporting the seizure. Instead they sent letters to Zlochevsky's attorneys attesting that there was no case against him. As a result, the money was freed by the U.K. court, and shortly thereafter the money was moved to Cyprus."

Mr. Pyatt went on to call for an investigation into "the misconduct" of the prosecutors who wrote the letters. In his speech, the ambassador did not mention Hunter Biden's connection to Burisma."

Official - Transitory

UNCLASSIFIED

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**From:** [REDACTED]  
**Sent:** Monday, November 21, 2016 3:50 PM  
**To:** [REDACTED]  
**Subject:** FW: Meeting request from Ambassador Herbst

Any concerns?

Official - Transitory

UNCLASSIFIED

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**From:** Andrews, Jorgan K  
**Sent:** Monday, November 21, 2016 3:39 PM  
**To:** [REDACTED]; [REDACTED]  
**Subject:** FW: Meeting request from Ambassador Herbst

What do we know about Burisma and Zlochevskiy? Should I accept this meeting or beg off?

Official

UNCLASSIFIED

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**From:** Geysa Gonzalez [<mailto:GGonzalez@ATLANTICCOUNCIL.ORG>]  
**Sent:** Monday, November 21, 2016 11:42 AM  
**To:** Andrews, Jorgan K  
**Cc:** John Herbst  
**Subject:** Meeting request from Ambassador Herbst

Dear Jorgan,

Hope this message finds you well! Ambassador Herbst was wondering if you might have some time to meet tomorrow to chat about Ukraine in general, but also Mr. Nicolai Zlochevskiy, who owns Burisma, one of Ukraine's most significant natural gas producers.

Please let me know if you have any availability.

Best,

Geysa



**Atlantic Council**

**Geysa Gonzalez** | Assistant Director, Dinu Patriciu Eurasia Center  
1030 15th Street, NW, 12th Floor | Washington, DC 20005  
T: 1.202.599.8620 | Email: [ggonzalez@AtlanticCouncil.org](mailto:ggonzalez@AtlanticCouncil.org) |  
[www.facebook.com/AtlanticCouncil](https://www.facebook.com/AtlanticCouncil) | [@ACEurasia](https://twitter.com/ACEurasia) | [www.AtlanticCouncil.org](http://www.AtlanticCouncil.org)

**From:** [REDACTED]  
**Sent:** Tue, 6 Dec 2016 00:18:23 -0500  
**To:** Kent, George P  
**Cc:** Kyiv, Staff Assistant; [REDACTED]  
**Subject:** Fw: For DCM Clearance: 20161208 BCL Tramontano  
**Attachments:** 20161208 BCL Tramontano (Laitinen).docx

Sent from my BlackBerry 10 smartphone.

---

**From:** Kyiv, Staff Assistant <KyivStaffAssistant@state.gov>  
**Sent:** Monday, December 5, 2016 5:42 PM  
**To:** [REDACTED]  
**Subject:** For DCM Clearance: 20161208 BCL Tramontano

Best,

[REDACTED]

**Official - SBU**  
**UNCLASSIFIED**

---

**From:** [REDACTED]  
**Sent:** Monday, December 05, 2016 2:15 PM  
**To:** Kyiv, Staff Assistant  
**Cc:** [REDACTED]  
**Subject:** 20161208 BCL Tramontano

[REDACTED] – attached for George’s clearance.

Best,

[REDACTED]

[REDACTED]  
Deputy Economic Counselor  
U.S. Embassy Kyiv  
4, I. Sikorsky Street  
04112 Kyiv, Ukraine  
044-521-5039 w

[REDACTED] c  
[REDACTED]

**Official - SBU**  
**UNCLASSIFIED**



United States Embassy  
Kyiv, Ukraine

**BRIEFING CHECKLIST (BCL)**  
**Ambassador Yovanovitch's Meeting with**  
**Karen Tramontano, Blue Star Strategies**

Thursday, December 8, 2016  
10:30-11:00  
Ambassador's Office

Interpretation: N/A  
Notetaker: [REDACTED]  
EXT: 5365

**CONTEXT**

An Atlantic Council member and Washington veteran, Tramontano informally represents Mykola Zlochevskiy, the Burisma CEO who has long been the target of law enforcement proceedings in Ukraine.

**WHAT DO WE WANT?**

- You should hear Tramontano out on Zlochevskiy's situation, but not suggest we will change our posture on his case.

**WHAT DO(ES) THEY/HE/SHE WANT?**

- Tramontano would like the USG to take a more positive view of Zlochevskiy and possibly meet with him.

**KEY OBJECTIVES**

1. **Zlochevskiy**: the former Minister of Ecology fled Ukraine in early 2014 and was charged with corruption and sanctioned by the European Union. In 2014, British officials unfroze \$23 million in his British bank accounts. Zlochevskiy owns Burisma, one of Ukraine's largest gas producers. His official U.S. representatives sent a letter in September (attached) asking that the Embassy reconsider its position on him.

- **I appreciate hearing your side of the story.**
- **However, we have extensive concerns about corruption in Ukraine, and we believe Mr. Zlochevskiy is an example. If he would like to clear his name, he should return to Ukraine to face the charges against him.**

- 2 -

### WATCH OUT FOR

**Burisma and USAID:** In September, USAID withdrew its Municipal Energy Reform Program's (MERP's) cooperation with Burisma on a joint program to award journalists for outstanding coverage of energy efficiency issues in Ukraine citing concerns about the appearance of a conflict of interest rewarding journalists with prizes paid by an energy company. Burisma provided approximately \$7,500 in prizes for last year's contest. Subsequently, USAID spoke to Blue Star Strategies representative Sally Painter by phone and indicated that we would be open to discussing other forms of cooperation between USAID and Burisma, and agreed to meet with Burisma Government and Public Affairs representative, Vadym Pozharskyi. In the November meeting, Pozharskyi briefed USAID on Burisma and the gas sector more broadly, but did not propose specific ideas for cooperation. While keeping the lines of communication open, we do not intend to pursue any joint cooperation with Burisma.

- **I understand that Susan Fritz and Joel Sandefur had a good meeting with Vadym Pozharskyi.**
- **If pressed: I encourage you to have Vadym reach out to [REDACTED] again should Burisma have further ideas.**

### PARTICIPANTS

#### United States

Ambassador Yovanovitch  
[REDACTED], Econ Counsleor

#### Other Country/Organization

Karen Tramontano, Blue Star CEO

#### Attachment:

Biographic Information  
Letter from Zlochevskiy's representatives

Approved: DCM: Kent

Drafted: Econ/ [REDACTED], x. 5039

Cleared: Econ/ [REDACTED] ok  
AID/ [REDACTED] ok  
Legatt/Van Den Hoogen ok

**From:** [REDACTED]  
**Sent:** Fri, 12 Aug 2016 16:47:00 +0300  
**To:** Kent, George P  
**Cc:** Wagner, JoAnne; [REDACTED] (EE/AA); [REDACTED] (KYIV/OEG); [REDACTED] (KYIV/DIR); [REDACTED] (DOCS); [REDACTED] (ECON); Kyiv, EXEC; [REDACTED] (ECON); [REDACTED]  
**Subject:** Re: Chornovol - American grants go to "Yanukovychs" and against the Ukr army  
**Attachments:** MERP MOU with Burisma 16-10-2014.pdf

Hi George,

I wanted to follow back up on this. Although we didn't do anything with Burisma on the Donetsk pipeline repair issue as I mentioned below, I was just informed today that we have been working with Burisma through our Municipal Energy Reform Program (MERP) since Oct. 2014. In fact, our MERP project has an MOU (attached) with Burisma which covers cooperation on some public information activities (e.g., contests for best mass media materials on energy efficiency, alternative and clean energy sources, advantages of condominiums, etc.) conducted by MERP. Burisma participation has been limited to sponsoring prizes/awards for the winners, and participating in the award ceremony--the last one was conducted last year and another contest is underway now with the award ceremony planned for Sep. 13.

I imagine you'd like to discuss further, so pls advise and I'll set up. Thx.

\*\*\*\*\*

[REDACTED], Deputy Mission Director  
USAID/Ukraine, Moldova, & Belarus  
U.S. Embassy Kyiv

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Flickr: <http://redirect.state.sbu/?url=https://www.flickr.com/photos/usaidukraine>

On Wed, Jul 27, 2016 at 8:11 AM, Kent, George P <[REDACTED]> wrote:

Thanks, [REDACTED]

PA team - the below translation is just a part of her screed. Apparently it in the original must go into defense projects based on the title. Her reputed lover Pashynsky is neck deep in defense sector corruption. it would be worth reviewing the whole article to see what other allegations against us she makes.

Sent from my BlackBerry 10 smartphone.  
Original Message

From: [REDACTED]  
Sent: Wednesday, July 27, 2016 8:01 AM  
To: Kent, George P  
Cc: Wagner, JoAnne; Kyiv, POL Core; [REDACTED] (Kyiv); Kyiv, ECON FSOs; [REDACTED]  
[REDACTED]; [REDACTED] (EE/AA); [REDACTED] (DCHA/OTI); [REDACTED]  
[REDACTED] (KYIV/OEG); [REDACTED] (KYIV/DIR)  
Subject: Re: Chornovol - Addressing FBI: American grants go to "Yanukovychs" and against the Ukr army

Hi George--no cooperation with them at all to my knowledge. We had some internal conversations including with your predecessor re: whether or not we could or should, but decided against it. There was a possibility of linking them to the Donetsk oblast administration to fix a pipeline with their own resources, not ours, as we didn't have the resources to do so on our own.

-----  
Deputy Mission Director  
USAID/Ukraine, Moldova, & Belarus

Sent from my iPhone

- > On Jul 27, 2016, at 07:50, Kent, George P <[REDACTED]> wrote:
- >
- > Nasty smear here - against EuroOptimists, against Kasko, against potentially USAID.
- >
- > Chornovol, reputed lover of corrupt NF grey cardinal Pashynsky, is a loose cannon.
- >
- > But just for our background, [REDACTED] did Burisma ever co-sponsor a USAID activity as alleged?
- >
- > To remind: someone who joined the Burisma team is Hunter Biden. Zlochevsky is the corrupt ex minister of Ecology whose frozen assets were released by GPO perfidy in Dec 2014.
- >
- > Sent from my BlackBerry 10 smartphone.
- > From: [lbi@lbicompany.com.ua](mailto:lbi@lbicompany.com.ua)
- > Sent: Tuesday, July 26, 2016 9:16 PM
- > To: Kyiv, Media Alerts
- > Subject: UP: Addressing FBI: American grants go to "Yanukovychs" and against the Ukrainian army
- >
- >
- >
- > Ukrainska Pravda:
- >

- > Addressing FBI: American grants go to "Yanukovychs" and against the Ukrainian army
- >
- > Tetyana Chornovol<[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://blogs.pravda.com.ua/authors/chornovol/](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://blogs.pravda.com.ua/authors/chornovol/)> Member of the parliament of Ukraine of the VIII convocation
- >
- >
- >
- > 26 of July 2016,
- >
- >
- >
- > Recently I visited two armored vehicles and artillery repair defense plants in Zhytomyr and Shepetivka. I am proud of the staff of the plants that are making powerful weapons literally from nothing, from old scrap, they got the production of parts up and running, which were previously purchased in Russia, they are modernizing old weapons, developing new ones, wonders on enthusiasm alone.
- > And after that you just want to tear apart those scoundrels in Verkhovna Rada who dare to leave the plants that affect life at the front without money.
- > MPs have been blocking the transfer of "Yanukovych's money" arrested in Ukraine to the state budget, although they know that under the Budget-2016 the defense plants are supposed to be financed from these funds.
- > As a result, they are not being financed and the production, which picked up the pace last year, faltered significantly. Imagine that now, in the conditions of war, the defense plants in Ukraine are loaded only for 10-30%.
- > This is a real BETRAYAL!
- > However, for a year now the parliament cannot adopt a draft law that establishes the legal mechanism for transferring this absolutely real, hard money, of which nearly a billion dollars is in "cash." For example, the information on "Oshchadbank."
- >
- >
- > A list of deputies from the group "Euro-optimists" and "UDAR," who come from the environment "of grant eaters," those organizations and structures in Ukraine that are living by Western grants, including receiving funds coming from US taxpayers, are blocking the adoption of the law.
- >
- > Which is why I appeal to the FBI asking to investigate the impact of corrupt officials of the era of Yanukovych - Mykola Zlochevskyi and Serhiy Kurchenko – on the grant community.
- >
- >
- > I have strong suspicions that it was the corrupt business of Zlochevskyi and corrupt connections of Kurchenko that blocked the passage of the draft law on special confiscation through the Verkhovna Rada. I suspect that the blockade is taking place due to the efforts of well-known Western lobbyists who work in Zlochevskyi's company Burisma Holdings,

through their impact not only on "grant eaters," but also donors working in Ukraine.

>  
> A sufficient part of the evidence the FBI can work with is already in the public domain. For instance, on the web site of the company Burisma Holdings, which officially belongs to Mykola Zlochevskiy. This business empire has been definitely created for corrupt funds.

> Now, remember that no one in Ukraine had such a fierce support from all possible grant eaters and donors like Kasko, who had been stubbornly dragged to the post of the Anti-Corruption Prosecutor.

> The same guard of Kasko, all "grant eaters" which cynically call themselves "Euro-optimists," "corruption fighters," "reformers" have thrown all possible resources, even used lies and slander to block the passage of the draft law on "special confiscation" through the parliament.

>  
> And now look at the "accidental" coincidence: the web site of Burisma Holdings is the partner of a list of events of the Ukrainian office of USAID - the American agency that provides grant funds primarily for anti-corruption projects.

>  
> What's curious is that after my briefing Burizma removed news about cooperation with USAID from its web site.

>  
>  
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>  
[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://blogs.pravda.com.ua/authors/chornovol/579729596f7a9/](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://blogs.pravda.com.ua/authors/chornovol/579729596f7a9/)

>  
>  
> With best regards,  
> LBI Team

>  
>  
<http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=www.lbicompany.com.ua>

>  
> (044) 501 58 41  
> [REDACTED]  
> <winmail.dat>

**МЕМОРАНДУМ ПРО  
ВЗАЄМОРОЗУМІННЯ**

**МІЖ  
ПРОЕКТОМ «МУНІЦИПАЛЬНА  
ЕНЕРГЕТИЧНА РЕФОРМА В УКРАЇНІ»  
(ПРОЕКТ МЕР)**

**ТА**

**БУРІЗМА ХОЛДІНГЗ ЛІМІТЕД**

**ЩОДО  
СПІВРОБІТНИЦТВА У ПРОВЕДЕННІ  
ІНФОРМАЦІЙНОЇ КАМПАНІЇ З ЧИСТОЇ  
ЕНЕРГЕТИКИ ТА  
ЕНЕРГОЕФЕКТИВНОСТІ У МІСТАХ  
УКРАЇНИ**

**КИЇВ**

**«13» жовтня 2014р.**

Метою цього Меморандуму про взаєморозуміння (МВ) є визначення напрямків співробітництва між Проектом «Муніципальна Енергетична Реформа» (надалі – «Проект МЕР»), що фінансується Агентством США з міжнародного розвитку (USAID) та здійснюється компанією International Resources Group (IRG), яку представляє представник за довіреністю Директор Проекту МЕР, та БУРІЗМА ХОЛДІНГЗ ЛІМІТЕД (Компанія), в особі уповноваженого представника, *Кічі Андрія*, який діє на підставі Довіреності від 09 жовтня 2014р., апостиль № 86289/14 від 09 жовтня 2014р. з метою сприяння інформації громадськості щодо муніципальної енергетичної реформи в Україні.

З огляду на вищезазначене, Проект МЕР та Компанія («Сторони») домовилися про таке:

**Компанія :**

1. Сприятиме розповсюдженню найкращих практик з енергоефективності та впровадження чистої енергії, залученню експертів до роботи тематичних робочих груп, круглих столів, обговорень та

**MEMORANDUM OF  
UNDERSTANDING**

**BETWEEN  
THE MUNICIPAL ENERGY REFORM  
PROJECT IN UKRAINE  
(MERP)**

**AND**

**BURISMA HOLDINGS LIMITED**

**ON  
COOPERATION IN IMPLEMENTATION  
OF INFORMATION CAMPAIGN WITHIN  
THE FRAMEWORK OF CLEAN ENERGY  
AND ENERGY EFFICIENCY IN THE  
CITIES OF UKRAINE**

**KYIV**

**October 13, 2014**

The purpose of this Memorandum of Understanding (MOU) is to define the terms and conditions of the cooperation between the Municipal Energy Reform Project in Ukraine (hereinafter referred to as "MERP") funded by the United States Agency for International Development (USAID) and implemented by International Resources Group (IRG), represented by the MERP Chief of Party, and BURISMA HOLDINGS LIMITED (hereinafter referred to as "Company"), represented by Andrii Kicha, who acts pursuant to Power of Attorney as of October 09, 2014, with Apostille of October 09, 2014 under number 86289/14, to promote municipal energy reform in Ukraine.

In consideration of the foregoing, MERP and the Company (the Parties) hereby agree as follows:

**The Company shall:**

1. Support dissemination of the best practices in energy efficiency and implementation of clean energy, involvement of experts in work of the special task forces, round tables, discussions and conferences with

*AK*

конференцій з участю міських голів та інших представників міської влади.

2. Сприяє прозорості процесу реформування муніципальної енергетики в країні шляхом спів-фінансування та проведення інформаційних та публічних заходів, в тому числі інформаційних ярмарок, круглих столів, прес-конференцій, тренінгів для ЗМІ та проведення конкурсу серед журналістів на кращий аналітичний матеріал (стаття, нарис, журналістське розслідування) по темі енергоефективності, альтернативних джерел енергії, тарифної політики, інше.
3. Шляхом спів-фінансування сприяє розробці нових та розповсюдження існуючих інформаційних матеріалів щодо енергозбереження, впровадження альтернативних джерел енергії, питань тарифної реформи, а саме відео/радіо роликів, біл бордів, сіті лайтів, метро лайтів, брошур та постерів А3 формату, інфографіки, вкладок до рахунків за комунальні послуги).
4. Сприяє розповсюдженню інформації про заходи інформаційної кампанії, її меседжи, гасла, види інформаційних матеріалів через свої канали комунікації, в тому числі веб-сайт компанії та сторінки в соціальних мережах.

**Проект «Муніципальна Енергетична Реформа в Україні» (Проект МЕР):**

1. Надасть компанії повний обсяг інформації щодо концепції загальної стратегії інформаційної кампанії Проекту МЕР, а також співпрацюватиме та залучатиме членів команди компанії до обговорення кожного окремого заходу, напрямку, сегменту інформаційної кампанії та відповідних інформаційних матеріалів, які буде спів-фінансувати компанія.
2. Забезпечить ко-брендинг та публічне

participation of the city mayors and other representatives of the city authorities.

2. Promote transparency of municipal energy reform process in the country through co-financing and conducting public information activities, including information fairs, roundtables, press conferences, trainings for media, competition among journalists for the best analytical material (articles, essays and investigation) related to themes of energy efficiency, alternative energy sources, tariff reform, other).
3. By co-financing promote the development of new and dissemination of existing information materials on energy efficiency, alternative energy sources, tariff reform, such as video/radio public service advertisements (PSAs), bill board posters, city light posters, metro light posters, infographics, brochures and A3 format posters, communal services bill inserts, etc.).
4. Promote dissemination of information about activities carried out within information campaign; its messages, slogans, types of informational materials through its communication channels, including the company's website and pages in social networks.

**The Municipal Energy Reform Project in Ukraine (MERP) shall:**

1. Provide the company with complete information regarding the concept of MERP information campaign strategy, as well as cooperate and engage the company team into discussions of each separate event, direction, and segment of information campaign and relevant information materials that will be co-financed by the company.
2. Ensure co-branding and public recognition of company's financial

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визнання участі компанії у спів-фінансуванні інформаційних заходів, нових та вже існуючих інформаційних матеріалів, які будуть використані в рамках заходів цього меморандуму в ході інформаційної кампанії.

3. Проект надаватиме компанії дані з моніторингу ЗМІ, результати опитувань та оцінки фокусних груп щодо ефективності впливу інформаційних заходів, які спів-фінансуються сторонами.

#### **Інші домовленості:**

1. Цей МВ не є підставою та не створює жодних юридичних осіб та стосується лише співробітництва між Сторонами для сприяння реформі муніципальної енергетики в Україні. Жодна Сторона не повинна представляти себе агентом іншої сторони. Жодна Сторона не матиме повноважень зв'язувати іншу сторону зобов'язаннями у будь-який спосіб.
2. Цей МВ вступає в силу з останньої дати підписання Сторонами. Він залишається в силі до 08 жовтня 2015. Будь-яка Сторона може розірвати цю угоду, надавши попередження про це за тридцять (30) днів.
3. Всі питання власності та права на обладнання та матеріали, що були придбані компанією IRG в ході проекту MER, залишаються власністю проекту MER до кінцевої дати проекту. Власність та права на згадане вище обладнання та матеріали будуть передані від проекту MER до реципієнтів після закінчення проекту MER згідно інструкцій AMP США. Розробки, підготовлені компанією IRG в ході проекту MER використовуються в інтересах реципієнтів Проекту, в тому числі міст України.
4. Цей МВ укладено українською та англійською мовами, у двох

contribution to information events, new and existing information materials that will be used within MOU activities during the information campaign.

3. Provide company with data on media monitoring, results of surveys and focus groups assessments with respect to effectiveness of information campaign activities, co-financed by parties.

#### **Further Understandings:**

1. This MOU shall not constitute or establish any legal entities and shall relate only to cooperation between the Parties to promote municipal energy reform in Ukraine. Neither Party shall hold itself out as an agent of the other Party. Neither Party shall have any authority to bind or obligate the other Party in any manner.
2. This MOU shall be made effective as of the later date of signature by the Parties. It shall remain in effect until October 08, 2015. Either Party may terminate this agreement upon a thirty (30) - day notice.
3. All issues of ownership and rights to equipment and materials purchased by IRG under the MER Project shall remain in MER Project ownership until the end date of the Project. The ownership and rights to mentioned above equipment and materials shall be transferred from the MER Project to the recipients upon completion of MER Project, pursuant to USAID instructions. Work products prepared by IRG under the MER Project shall be used in the interest of the Project recipients, including the cities of Ukraine.
4. This MOU is executed in the Ukrainian and English languages, in two copies each, both texts being equally binding.

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примірниках кожною мовою, обидва тексти при цьому зобов'язують однаково.

5. Цей МВ містить повну домовленість Сторін та заміщує собою будь-які попередні домовленості у відношенні цієї Угоди, письмові або усні.

5. This MOU contains the entire understanding of the Parties and supersedes any previous understanding related to this Agreement, whether written or oral.

На підтвердження цього Сторони, кожна з яких діє через своїх належним чином уповноважених представників, підписують цей Меморандум про взаєморозуміння від свого імені.

In witness whereof, the Parties, each acting through their duly authorized representatives, have caused this Memorandum of Understanding to be signed by their names.

Від БУРИЗМА ХОЛДІНГЗ ЛІМІТЕД

For the BURISMA HOLDINGS LIMITED

Андрій Кіча

Andrii Kicha

Від Проекту Муніципальна Енергетична Реформа

For the Municipal Energy Reform Project

Вільям Такер

William Tucker



POLITICO



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● WATCH LIVE

House Judiciary Committee holds hearing on impeachment report

PRESIDENTIAL TRANSITION

### Ukrainian efforts to sabotage Trump backfire

Kiev officials are scrambling to make amends with the president-elect after quietly working to boost Clinton.

By KENNETH P. VOGEL and DAVID STERN | 01/11/2017 05:05 AM EST



President Petro Poroshenko's administration, along with the Ukrainian Embassy in Washington, insists that Ukraine stayed neutral in the American presidential race. | Getty

Donald Trump wasn't the only presidential candidate whose campaign was boosted by officials of a former Soviet bloc country.

Ukrainian government officials tried to help Hillary Clinton and undermine Trump by publicly questioning his fitness for office. They also disseminated documents implicating a top Trump aide in corruption and suggested they were investigating the matter, only to back away after the election. And they helped Clinton's allies research damaging information on Trump and his advisers, a Politico investigation found.

A Ukrainian-American operative who was consulting for the Democratic National Committee met with top officials in the Ukrainian Embassy in Washington in an effort to expose ties between Trump, top campaign aide Paul Manafort and Russia, according to people with direct knowledge of the situation.

The Ukrainian efforts had an impact in the race, helping to force Manafort's resignation and advancing the narrative that Trump's campaign was deeply connected to Ukraine's foe to the east, Russia. But they were far less concerted or centrally directed than Russia's alleged hacking and dissemination of Democratic emails.

Russia's effort was personally directed by Russian President Vladimir Putin, involved the country's military and foreign intelligence services, according to U.S. intelligence officials. They reportedly briefed Trump last week on the possibility that Russian operatives might have compromising information on the president-elect. And at a Senate hearing last week on the hacking, Director of National Intelligence James Clapper said "I don't think we've ever encountered a more aggressive or direct campaign to interfere in our election process than we've seen in this case."

There's little evidence of such a top-down effort by Ukraine. Longtime observers suggest that the rampant corruption, factionalism and economic struggles plaguing the country — not to mention its ongoing strife with Russia — would render it unable to pull off an ambitious covert interference campaign in another country's election. And President Petro Poroshenko's administration, along with the Ukrainian Embassy in Washington, insists that Ukraine stayed neutral in the race.

ADVERTISING

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CONGRESS

## Lawmakers broach possible Trump campaign coordination with Russia

By AUSTIN WRIGHT and MARTIN MATISHAK

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Yet Politico's investigation found evidence of Ukrainian government involvement in the race that appears to strain diplomatic protocol dictating that governments refrain from engaging in one another's elections.

Russia's meddling has sparked outrage from the American body politic. The U.S. intelligence community undertook the rare move of publicizing its findings on the matter, and President Barack Obama took several steps to officially retaliate, while members of Congress continue pushing for more investigations into the hacking and a harder line against Russia, which was already viewed in Washington as America's leading foreign adversary.

Ukraine, on the other hand, has traditionally enjoyed strong relations with U.S. administrations. Its officials worry that could change under Trump, whose team has privately expressed sentiments ranging from ambivalence to deep skepticism about Poroshenko's regime, while sounding unusually friendly notes about Putin's regime.

Poroshenko is scrambling to alter that dynamic, recently signing a \$50,000-a-month contract with a well-connected GOP-linked Washington lobbying firm to set up meetings with U.S. government officials "to strengthen U.S.-Ukrainian relations."

Revelations about Ukraine's anti-Trump efforts could further set back those efforts.

"Things seem to be going from bad to worse for Ukraine," said David A. Merkel, a senior fellow at the Atlantic Council who helped oversee U.S. relations with Russia and Ukraine while working in George W. Bush's State Department and National Security Council.

Merkel, who has served as an election observer in Ukrainian presidential elections dating back to 1993, noted there's some irony in Ukraine and Russia taking opposite sides in the 2016 presidential race, given that past Ukrainian elections were widely viewed in Washington's foreign policy community as proxy wars between the U.S. and Russia.

"Now, it seems that a U.S. election may have been seen as a surrogate battle by those in Kiev and Moscow," Merkel said.

...

The Ukrainian antipathy for Trump's team — and alignment with Clinton's — can be traced back to late 2013. That's when the country's president, Viktor Yanukovich, whom Manafort had been advising, abruptly backed out of a European Union pact linked to anti-corruption reforms. Instead, Yanukovich entered into a multibillion-dollar bailout agreement with Russia, sparking protests across Ukraine and prompting Yanukovich to flee the country to Russia under Putin's protection.

In the ensuing crisis, Russian troops moved into the Ukrainian territory of Crimea, and Manafort dropped off the radar.

Manafort's work for Yanukovich caught the attention of a veteran Democratic operative named Alexandra Chalupa, who had worked in the White House Office of Public Liaison during the Clinton administration. Chalupa went on to work as a staffer, then as a consultant, for Democratic National Committee. The DNC paid her \$412,000 from 2004 to June 2016, according to Federal Election Commission records, though she also was paid by other clients during that time, including Democratic campaigns and the DNC's arm for engaging expatriate Democrats around the world.

A daughter of Ukrainian immigrants who maintains strong ties to the Ukrainian-American diaspora and the U.S. Embassy in Ukraine, Chalupa, a lawyer by training, in 2014 was doing pro bono work for another client interested in the Ukrainian crisis and began researching Manafort's role in Yanukovich's rise, as well as his ties to the pro-Russian oligarchs who funded Yanukovich's political party.

In an interview this month, Chalupa told Politico she had developed a network of sources in Kiev and Washington, including investigative journalists, government officials and private intelligence operatives. While her consulting work at the DNC this past election cycle centered on mobilizing ethnic communities — including Ukrainian-Americans — she said that, when Trump's unlikely presidential campaign began surging in late 2015, she

began focusing more on the research, and expanded it to include Trump's ties to Russia, as well.

She occasionally shared her findings with officials from the DNC and Clinton's campaign, Chalupa said. In January 2016 — months before Manafort had taken any role in Trump's campaign — Chalupa told a senior DNC official that, when it came to Trump's campaign, "I felt there was a Russia connection," Chalupa recalled. "And that, if there was, that we can expect Paul Manafort to be involved in this election," said Chalupa, who at the time also was warning leaders in the Ukrainian-American community that Manafort was "Putin's political brain for manipulating U.S. foreign policy and elections."

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#### PRESIDENTIAL TRANSITION

### Trump confronts firestorm over Russia allegations

By ELI STOKOLS, SHANE GOLDMACHER, JOSH DAWSEY and MICHAEL CROWLEY

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She said she shared her concern with Ukraine's ambassador to the U.S., Valeriy Chaly, and one of his top aides, Oksana Shulyar, during a March 2016 meeting at the Ukrainian Embassy. According to someone briefed on the meeting, Chaly said that Manafort was very much on his radar, but that he wasn't particularly concerned about the operative's ties to Trump since he didn't believe Trump stood much of a chance of winning the GOP nomination, let alone the presidency.

That was not an uncommon view at the time, and, perhaps as a result, Trump's ties to Russia — let alone Manafort's — were not the subject of much attention.

That all started to change just four days after Chalupa's meeting at the embassy, when it was reported that Trump had in fact hired Manafort, suggesting that Chalupa may have been on to something. She quickly found herself in high demand. The day after Manafort's hiring was revealed, she briefed the DNC's communications staff on Manafort, Trump and their ties to Russia, according to an operative familiar with the situation.

A former DNC staffer described the exchange as an "informal conversation," saying "briefing' makes it sound way too formal," and adding, "We were not directing or driving her work on this." Yet, the former DNC staffer and the operative familiar with the situation agreed that with the DNC's encouragement, Chalupa asked embassy staff to try to arrange an interview in which Poroshenko might discuss Manafort's ties to Yanukovich.

While the embassy declined that request, officials there became "helpful" in Chalupa's efforts, she said, explaining that she traded information and leads with them. "If I asked a

question, they would provide guidance, or if there was someone I needed to follow up with.” But she stressed, “There were no documents given, nothing like that.”

Chalupa said the embassy also worked directly with reporters researching Trump, Manafort and Russia to point them in the right directions. She added, though, “they were being very protective and not speaking to the press as much as they should have. I think they were being careful because their situation was that they had to be very, very careful because they could not pick sides. It’s a political issue, and they didn’t want to get involved politically because they couldn’t.”

Shulyar vehemently denied working with reporters or with Chalupa on anything related to Trump or Manafort, explaining “we were stormed by many reporters to comment on this subject, but our clear and adamant position was not to give any comment [and] not to interfere into the campaign affairs.”

Both Shulyar and Chalupa said the purpose of their initial meeting was to organize a June reception at the embassy to promote Ukraine. According to the embassy’s website, the event highlighted female Ukrainian leaders, featuring speeches by Ukrainian parliamentarian Hanna Hopko, who discussed “Ukraine’s fight against the Russian aggression in Donbas,” and longtime Hillary Clinton confidante Melanne Vermeer, who worked for Clinton in the State Department and was a vocal surrogate during the presidential campaign.

Shulyar said her work with Chalupa “didn’t involve the campaign,” and she specifically stressed that “We have never worked to research and disseminate damaging information about Donald Trump and Paul Manafort.”

But Andrii Telizhenko, who worked as a political officer in the Ukrainian Embassy under Shulyar, said she instructed him to help Chalupa research connections between Trump, Manafort and Russia. “Oksana said that if I had any information, or knew other people who did, then I should contact Chalupa,” recalled Telizhenko, who is now a political consultant in Kiev. “They were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa,” he said, adding “Oksana was keeping it all quiet,” but “the embassy worked very closely with” Chalupa.

In fact, sources familiar with the effort say that Shulyar specifically called Telizhenko into a meeting with Chalupa to provide an update on an American media outlet’s ongoing investigation into Manafort.

Telizhenko recalled that Chalupa told him and Shulyar that, “If we can get enough information on Paul [Manafort] or Trump’s involvement with Russia, she can get a hearing in Congress by September.”

Chalupa confirmed that, a week after Manafort’s hiring was announced, she discussed the possibility of a congressional investigation with a foreign policy legislative assistant in the office of Rep. Marcy Kaptur (D-Ohio), who co-chairs the Congressional Ukrainian Caucus. But, Chalupa said, “It didn’t go anywhere.”

Asked about the effort, the Kaptur legislative assistant called it a “touchy subject” in an internal email to colleagues that was accidentally forwarded to Politico.

Kaptur’s office later emailed an official statement explaining that the lawmaker is backing a bill to create an independent commission to investigate “possible outside interference in our elections.” The office added “at this time, the evidence related to this matter points to Russia, but Congresswoman Kaptur is concerned with any evidence of foreign entities interfering in our elections.”

...

Almost as quickly as Chalupa’s efforts attracted the attention of the Ukrainian Embassy and Democrats, she also found herself the subject of some unwanted attention from overseas.

Within a few weeks of her initial meeting at the embassy with Shulyar and Chalupa, Chalupa on April 20 received the first of what became a series of messages from the administrators of her private Yahoo email account, warning her that “state-sponsored actors” were trying to hack into her emails.

She kept up her crusade, appearing on a panel a week after the initial hacking message to discuss her research on Manafort with a group of Ukrainian investigative journalists gathered at the Library of Congress for a program sponsored by a U.S. congressional agency called the Open World Leadership Center.

Center spokeswoman Maura Sheldon stressed that her group is nonpartisan and ensures “that our delegations hear from both sides of the aisle, receiving bipartisan information.” She said the Ukrainian journalists in subsequent days met with Republican officials in North Carolina and elsewhere. And she said that, before the Library of Congress event, “Open World’s program manager for Ukraine did contact Chalupa to advise her that Open World is a nonpartisan agency of the Congress.”

Chalupa, though, indicated in an email that was later hacked and released by WikiLeaks that the Open World Leadership Center “put me on the program to speak specifically about Paul Manafort.”

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## Republicans pile on Russia for hacking, get details on GOP targets

By MARTIN MATISHAK and AUSTIN WRIGHT

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In the email, which was sent in early May to then-DNC communications director Luis Miranda, Chalupa noted that she had extended an invitation to the Library of Congress forum to veteran Washington investigative reporter Michael Isikoff. Two days before the event, he had published a story for Yahoo News revealing the unraveling of a \$26 million deal between Manafort and a Russian oligarch related to a telecommunications venture in Ukraine. And Chalupa wrote in the email she’d been “working with for the past few weeks” with Isikoff “and connected him to the Ukrainians” at the event.

Isikoff, who accompanied Chalupa to a reception at the Ukrainian Embassy immediately after the Library of Congress event, declined to comment.

Chalupa further indicated in her hacked May email to the DNC that she had additional sensitive information about Manafort that she intended to share “offline” with Miranda and DNC research director Lauren Dillon, including “a big Trump component you and Lauren need to be aware of that will hit in next few weeks and something I’m working on you should be aware of.” Explaining that she didn’t feel comfortable sharing the intel over email, Chalupa attached a screenshot of a warning from Yahoo administrators about “state-sponsored” hacking on her account, explaining, “Since I started digging into Manafort these messages have been a daily occurrence on my yahoo account despite changing my password often.”

Dillon and Miranda declined to comment.

A DNC official stressed that Chalupa was a consultant paid to do outreach for the party’s political department, not a researcher. She undertook her investigations into Trump, Manafort and Russia on her own, and the party did not incorporate her findings in its dossiers on the subjects, the official said, stressing that the DNC had been building robust research books on Trump and his ties to Russia long before Chalupa began sounding alarms.

Nonetheless, Chalupa's hacked email reportedly escalated concerns among top party officials, hardening their conclusion that Russia likely was behind the cyber intrusions with which the party was only then beginning to grapple.

Chalupa left the DNC after the Democratic convention in late July to focus fulltime on her research into Manafort, Trump and Russia. She said she provided off-the-record information and guidance to "a lot of journalists" working on stories related to Manafort and Trump's Russia connections, despite what she described as escalating harassment.

About a month-and-a-half after Chalupa first started receiving hacking alerts, someone broke into her car outside the Northwest Washington home where she lives with her husband and three young daughters, she said. They "rampaged it, basically, but didn't take anything valuable — left money, sunglasses, \$1,200 worth of golf clubs," she said, explaining she didn't file a police report after that incident because she didn't connect it to her research and the hacking.

But by the time a similar vehicle break-in occurred involving two family cars, she was convinced that it was a Russia-linked intimidation campaign. The police report on the latter break-in noted that "both vehicles were unlocked by an unknown person and the interior was ransacked, with papers and the garage openers scattered throughout the cars. Nothing was taken from the vehicles."

Then, early in the morning on another day, a woman "wearing white flowers in her hair" tried to break into her family's home at 1:30 a.m., Chalupa said. Shulyar told Chalupa that the mysterious incident bore some of the hallmarks of intimidation campaigns used against foreigners in Russia, according to Chalupa.

"This is something that they do to U.S. diplomats, they do it to Ukrainians. Like, this is how they operate. They break into people's homes. They harass people. They're theatrical about it," Chalupa said. "They must have seen when I was writing to the DNC staff, outlining who Manafort was, pulling articles, saying why it was significant, and painting the bigger picture."

In a Yahoo News story naming Chalupa as one of 16 "ordinary people" who "shaped the 2016 election," Isikoff wrote that after Chalupa left the DNC, FBI agents investigating the hacking questioned her and examined her laptop and smartphone.

Chalupa this month told Politico that, as her research and role in the election started becoming more public, she began receiving death threats, along with continued alerts of state-sponsored hacking. But she said, "None of this has scared me off."

...

While it's not uncommon for outside operatives to serve as intermediaries between governments and reporters, one of the more damaging Russia-related stories for the Trump campaign — and certainly for Manafort — can be traced more directly to the Ukrainian government.

Documents released by an independent Ukrainian government agency — and publicized by a parliamentarian — appeared to show \$12.7 million in cash payments that were earmarked for Manafort by the Russia-aligned party of the deposed former president, Yanukovich.

The New York Times, in the August story revealing the ledgers' existence, reported that the payments earmarked for Manafort were “a focus” of an investigation by Ukrainian anti-corruption officials, while CNN reported days later that the FBI was pursuing an overlapping inquiry.

HSGAC MAJORITY STAFF EXHIBIT

One of the most damaging Russia-related stories during Donald Trump's campaign can be traced to the Ukrainian government. | AP Photo

Clinton's campaign seized on the story to advance Democrats' argument that Trump's campaign was closely linked to Russia. The ledger represented "more troubling connections between Donald Trump's team and pro-Kremlin elements in Ukraine," Robby Mook, Clinton's campaign manager, said in a statement. He demanded that Trump "disclose campaign chair Paul Manafort's and all other campaign employees' and advisers' ties to Russian or pro-Kremlin entities, including whether any of Trump's employees or advisers are currently representing and or being paid by them."

A former Ukrainian investigative journalist and current parliamentarian named Serhiy Leshchenko, who was elected in 2014 as part of Poroshenko's party, held a news conference to highlight the ledgers, and to urge Ukrainian and American law enforcement to aggressively investigate Manafort.

"I believe and understand the basis of these payments are totally against the law — we have the proof from these books," Leshchenko said during the news conference, which attracted international media coverage. "If Mr. Manafort denies any allegations, I think he has to be interrogated into this case and prove his position that he was not involved in any misconduct on the territory of Ukraine," Leshchenko added.

Manafort denied receiving any off-books cash from Yanukovich's Party of Regions, and said that he had never been contacted about the ledger by Ukrainian or American investigators, later telling POLITICO "I was just caught in the crossfire."

According to a series of memos reportedly compiled for Trump's opponents by a former British intelligence agent, Yanukovich, in a secret meeting with Putin on the day after the *Times* published its report, admitted that he had authorized "substantial kickback payments to Manafort." But according to the report, which was published Tuesday by BuzzFeed but remains unverified. Yanukovich assured Putin "that there was no documentary trail left behind which could provide clear evidence of this" — an alleged statement that seemed to implicitly question the authenticity of the ledger.

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2016

## Inside the fall of Paul Manafort

By KENNETH P. VOGEL and MARC CAPUTO

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The scrutiny around the ledgers — combined with that from other stories about his Ukraine work — proved too much, and he stepped down from the Trump campaign less than a week after the *Times* story.

At the time, Leshchenko suggested that his motivation was partly to undermine Trump. "For me, it was important to show not only the corruption aspect, but that he is [a] pro-Russian candidate who can break the geopolitical balance in the world," Leshchenko told the *Financial Times* about two weeks after his news conference. The newspaper noted that Trump's candidacy had spurred "Kiev's wider political leadership to do something they would never have attempted before: intervene, however indirectly, in a U.S. election," and the story quoted Leshchenko asserting that the majority of Ukraine's politicians are "on Hillary Clinton's side."

But by this month, Leshchenko was seeking to recast his motivation, telling Politico, “I didn’t care who won the U.S. elections. This was a decision for the American voters to decide.” His goal in highlighting the ledgers, he said was “to raise these issues on a political level and emphasize the importance of the investigation.”

In a series of answers provided to Politico, a spokesman for Poroshenko distanced his administration from both Leshchenko’s efforts and those of the agency that reLeshchenko Leshchenko leased the ledgers, The National Anti-Corruption Bureau of Ukraine. It was created in 2014 as a condition for Ukraine to receive aid from the U.S. and the European Union, and it signed an evidence-sharing agreement with the FBI in late June — less than a month and a half before it released the ledgers.

The bureau is “fully independent,” the Poroshenko spokesman said, adding that when it came to the presidential administration there was “no targeted action against Manafort.” He added “as to Serhiy Leshchenko, he positions himself as a representative of internal opposition in the Bloc of Petro Poroshenko’s faction, despite [the fact that] he belongs to the faction,” the spokesman said, adding, “it was about him personally who pushed [the anti-corruption bureau] to proceed with investigation on Manafort.”

But an operative who has worked extensively in Ukraine, including as an adviser to Poroshenko, said it was highly unlikely that either Leshchenko or the anti-corruption bureau would have pushed the issue without at least tacit approval from Poroshenko or his closest allies.

“It was something that Poroshenko was probably aware of and could have stopped if he wanted to,” said the operative.

And, almost immediately after Trump’s stunning victory over Clinton, questions began mounting about the investigations into the ledgers — and the ledgers themselves.

An official with the anti-corruption bureau told a Ukrainian newspaper, “Mr. Manafort does not have a role in this case.”

And, while the anti-corruption bureau told Politico late last month that a “general investigation [is] still ongoing” of the ledger, it said Manafort is not a target of the investigation. “As he is not the Ukrainian citizen, [the anti-corruption bureau] by the law couldn’t investigate him personally,” the bureau said in a statement.

Some Poroshenko critics have gone further, suggesting that the bureau is backing away from investigating because the ledgers might have been doctored or even forged.

Valentyn Nalyvaichenko, a Ukrainian former diplomat who served as the country's head of security under Poroshenko but is now affiliated with a leading opponent of Poroshenko, said it was fishy that "only one part of the black ledger appeared." He asked, "Where is the handwriting analysis?" and said it was "crazy" to announce an investigation based on the ledgers. He met last month in Washington with Trump allies, and said, "of course they all recognize that our [anti-corruption bureau] intervened in the presidential campaign."

And in an interview this week, Manafort, who re-emerged as an informal advisor to Trump after Election Day, suggested that the ledgers were inauthentic and called their publication "a politically motivated false attack on me. My role as a paid consultant was public. There was nothing off the books, but the way that this was presented tried to make it look shady."

He added that he felt particularly wronged by efforts to cast his work in Ukraine as pro-Russian, arguing "all my efforts were focused on helping Ukraine move into Europe and the West." He specifically cited his work on denuclearizing the country and on the European Union trade and political pact that Yanukovich spurned before fleeing to Russia. "In no case was I ever involved in anything that would be contrary to U.S. interests," Manafort said.

Yet Russia seemed to come to the defense of Manafort and Trump last month, when a spokeswoman for Russia's Foreign Ministry charged that the Ukrainian government used the ledgers as a political weapon.

"Ukraine seriously complicated the work of Trump's election campaign headquarters by planting information according to which Paul Manafort, Trump's campaign chairman, allegedly accepted money from Ukrainian oligarchs," Maria Zakharova said at a news briefing, according to a transcript of her remarks posted on the Foreign Ministry's website. "All of you have heard this remarkable story," she told assembled reporters.

...

Beyond any efforts to sabotage Trump, Ukrainian officials didn't exactly extend a hand of friendship to the GOP nominee during the campaign.

The ambassador, Chaly, penned an op-ed for The Hill, in which he chastised Trump for a confusing series of statements in which the GOP candidate at one point expressed a willingness to consider recognizing Russia's annexation of the Ukrainian territory of Crimea as legitimate. The op-ed made some in the embassy uneasy, sources said.

“That was like too close for comfort, even for them,” said Chalupa. “That was something that was as risky as they were going to be.”

Former Ukrainian Prime Minister Arseny Yatseniuk warned on Facebook that Trump had “challenged the very values of the free world.”

Ukraine’s minister of internal affairs, Arsen Avakov, piled on, trashing Trump on Twitter in July as a “clown” and asserting that Trump is “an even bigger danger to the US than terrorism.”

Avakov, in a Facebook post, lashed out at Trump for his confusing Crimea comments, calling the assessment the “diagnosis of a dangerous misfit,” according to a translated screenshot featured in one media report, though he later deleted the post. He called Trump “dangerous for Ukraine and the US” and noted that Manafort worked with Yanukovich when the former Ukrainian leader “fled to Russia through Crimea. Where would Manafort lead Trump?”

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#### INVESTIGATIONS

### Manafort’s man in Kiev

By KENNETH P. VOGEL

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The Trump-Ukraine relationship grew even more fraught in September with reports that the GOP nominee had snubbed Poroshenko on the sidelines of the United Nations General Assembly in New York, where the Ukrainian president tried to meet both major party candidates, but scored only a meeting with Clinton.

Telizhenko, the former embassy staffer, said that, during the primaries, Chaly, the country’s ambassador in Washington, had actually instructed the embassy not to reach out to Trump’s campaign, even as it was engaging with those of Clinton and Trump’s leading GOP rival, Ted Cruz.

“We had an order not to talk to the Trump team, because he was critical of Ukraine and the government and his critical position on Crimea and the conflict,” said Telizhenko. “I was yelled at when I proposed to talk to Trump,” he said, adding, “The ambassador said not to get involved — Hillary is going to win.”

This account was confirmed by Nalyvaichenko, the former diplomat and security chief now affiliated with a Poroshenko opponent, who said, “The Ukrainian authorities closed all doors and windows — this is from the Ukrainian side.” He called the strategy “bad and short-sighted.”

Andriy Artemenko, a Ukrainian parliamentarian associated with a conservative opposition party, did meet with Trump's team during the campaign and said he personally offered to set up similar meetings for Chaly but was rebuffed.

"It was clear that they were supporting Hillary Clinton's candidacy," Artemenko said. "They did everything from organizing meetings with the Clinton team, to publicly supporting her, to criticizing Trump. ... I think that they simply didn't meet because they thought that Hillary would win."

Shulyar rejected the characterizations that the embassy had a ban on interacting with Trump, instead explaining that it "had different diplomats assigned for dealing with different teams tailoring the content and messaging. So it was not an instruction to abstain from the engagement but rather an internal discipline for diplomats not to get involved into a field she or he was not assigned to, but where another colleague was involved."

And she pointed out that Chaly traveled to the GOP convention in Cleveland in late July and met with members of Trump's foreign policy team "to highlight the importance of Ukraine and the support of it by the U.S."

Despite the outreach, Trump's campaign in Cleveland gutted a proposed amendment to the Republican Party platform that called for the U.S. to provide "lethal defensive weapons" for Ukraine to defend itself against Russian incursion, backers of the measure charged.

The outreach ramped up after Trump's victory. Shulyar pointed out that Poroshenko was among the first foreign leaders to call to congratulate Trump. And she said that, since Election Day, Chaly has met with close Trump allies, including Sens. Jeff Sessions, Trump's nominee for attorney general, and Bob Corker, the chairman of the Senate Foreign Relations Committee, while the ambassador accompanied Ivanna Klympush-Tsintsadze, Ukraine's vice prime minister for European and Euro-Atlantic integration, to a round of Washington meetings with Rep. Tom Marino (R-Pa.), an early Trump backer, and Jim DeMint, president of The Heritage Foundation, which played a prominent role in Trump's transition.

...

Many Ukrainian officials and operatives and their American allies see Trump's inauguration this month as an existential threat to the country, made worse, they admit, by the dissemination of the secret ledger, the antagonistic social media posts and the perception that the embassy meddled against — or at least shut out — Trump.

“It’s really bad. The [Poroshenko] administration right now is trying to re-coordinate communications,” said Telizhenko, adding, “The Trump organization doesn’t want to talk to our administration at all.”

During Nalyvaichenko’s trip to Washington last month, he detected lingering ill will toward Ukraine from some, and lack of interest from others, he recalled. “Ukraine is not on the top of the list, not even the middle,” he said.

Poroshenko’s allies are scrambling to figure out how to build a relationship with Trump, who is known for harboring and prosecuting grudges for years.

A delegation of Ukrainian parliamentarians allied with Poroshenko last month traveled to Washington partly to try to make inroads with the Trump transition team, but they were unable to secure a meeting, according to a Washington foreign policy operative familiar with the trip. And operatives in Washington and Kiev say that after the election, Poroshenko met in Kiev with top executives from the Washington lobbying firm BGR — including Ed Rogers and Lester Munson — about how to navigate the Trump regime.

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## Ukrainians fall out of love with Europe

By DAVID STERN

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Weeks later, BGR reported to the Department of Justice that the government of Ukraine would pay the firm \$50,000 a month to “provide strategic public relations and government affairs counsel,” including “outreach to U.S. government officials, non-government organizations, members of the media and other individuals.”

Firm spokesman Jeffrey Birnbaum suggested that “pro-Putin oligarchs” were already trying to sow doubts about BGR’s work with Poroshenko. While the firm maintains close relationships with GOP congressional leaders, several of its principals were dismissive or sharply critical of Trump during the GOP primary, which could limit their effectiveness lobbying the new administration.

The Poroshenko regime’s standing with Trump is considered so dire that the president’s allies after the election actually reached out to make amends with — and even seek assistance from — Manafort, according to two operatives familiar with Ukraine’s efforts to make inroads with Trump.

Meanwhile, Poroshenko’s rivals are seeking to capitalize on his dicey relationship with Trump’s team. Some are pressuring him to replace Chaly, a close ally of Poroshenko’s who

is being blamed by critics in Kiev and Washington for implementing — if not engineering — the country’s anti-Trump efforts, according to Ukrainian and U.S. politicians and operatives interviewed for this story. They say that several potential Poroshenko opponents have been through Washington since the election seeking audiences of their own with Trump allies, though most have failed to do so.

“None of the Ukrainians have any access to Trump — they are all desperate to get it, and are willing to pay big for it,” said one American consultant whose company recently met in Washington with Yuriy Boyko, a former vice prime minister under Yanukovich. Boyko, who like Yanukovich has a pro-Russian worldview, is considering a presidential campaign of his own, and his representatives offered “to pay a shit-ton of money” to get access to Trump and his inaugural events, according to the consultant.

The consultant turned down the work, explaining, “It sounded shady, and we don’t want to get in the middle of that kind of stuff.”

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HSGAC MAJORITY STAFF EXHIBIT

**From:** [REDACTED]  
**Sent:** Mon, 15 Aug 2016 13:30:38 +0300  
**To:** [REDACTED]  
**Cc:** Kent, George P; Wagner, JoAnne; [REDACTED] (EE/AA); [REDACTED] (KYIV/OEG); [REDACTED] (KYIV/DIR); [REDACTED] (Nairobi/EA/PDI); [REDACTED] (KYIV/PCS); [REDACTED] (KYIV/DIR); [REDACTED]; Kyiv, EXEC; [REDACTED]; Johannes Vandenhoogen; Cole, Jeffrey W; Smith, Christopher W; [REDACTED]  
**Subject:** Re: (NO RESPONSE TIL MONDAY) USAID Cooperation with Burisma (Chornovol allegations) - should we have a policy of avoiding cooperation with the morally compromised?

Just to add--we've confirmed that there has been no financial relationship between our contractor on the MERP project and Burisma, although Burisma has provided prizes (purchased by them at their cost) for the winners of the 2015 and 2016 journalist contests organized by MERP in collaboration with the Center for Ukrainian Reform Education.

\*\*\*\*\*

[REDACTED], Deputy Mission Director  
USAID/Ukraine, Moldova, & Belarus  
U.S. Embassy Kyiv

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Flickr: <http://redirect.state.sbu/?url=https://www.flickr.com/photos/usaidukraine>

On Mon, Aug 15, 2016 at 1:25 PM, [REDACTED] > wrote:

Sir,

Econ has engaged with Burisma at the working level to get information on private sector gas production.

[REDACTED]

[REDACTED]

Energy and ESTH Unit Chief  
U.S. Embassy Kyiv  
Office: [011-380-44-521-5482](tel:011-380-44-521-5482)  
Cell: [REDACTED]

This email is UNCLASSIFIED.

From: Kent, George P  
Sent: Saturday, August 13, 2016 3:26 PM  
To: [REDACTED] (EA/DIR)  
Cc: Wagner, JoAnne; [REDACTED] (EE/AA); [REDACTED]  
(KYIV/OEG); [REDACTED] (KYIV/DIR); [REDACTED] (Nairobi/EA/PDI);  
[REDACTED] (KYIV/PCS); [REDACTED] (KYIV/DIR); [REDACTED]; Kyiv,  
EXEC; [REDACTED] Johannes Vandenhoogen; Cole, Jeffrey W;  
Smith, Christopher W; [REDACTED]  
Subject: (NO RESPONSE TIL MONDAY) USAID Cooperation with Burisma (Chornovol  
allegations) - should we have a policy of avoiding cooperation with the morally compromised?

Thanks, [REDACTED]

The proliferation of Ukrainian companies clearly (and not so clearly) owned/controlled by odious oligarchs or those who outright stole assets and absconded (like Zlochevsky) is likely a long one. I do not know if we have a clear, consistent, or even informal policy for post engagement with such companies-properties. I suspect not.

For instance, we don't boycott Inter TV, even if it is controlled in part by under-indictment in Chicago/extradition proceedings Firtash and his equally morally compromised business partner Lyovochkin, or 1+1, controlled by Kolomoisky, whose sins are manifest, or TV Ukraina, controlled by Akhmetov, no comment needed. We continue to engage with those individuals diplomatically at a high level – albeit to the distress/disappointment of U.S. law enforcement, it must be said.

There is, however, a moral hazard associated with publicly associating/promoting our assistance projects with companies/individuals seen in Ukrainian society as corrupt/compromised. At the very least, embassy elements dealing with Ukrainians and companies with a known past need to engage on an eyes wide open, due diligence conducted basis.

For ECON: how have we traditionally treated/engaged Burisma, given the Zlochevsky connection, but also perhaps US involvement beyond Hunter Biden?

For the wider collective: perhaps this is a topic worth teasing out as we work on a revised mission counter corruption strategy, with an eye to setting a standard that is higher than “at the very least.” When I was in Bangkok from 2001-04, for instance, our Econ Counselor (now Ambassador to Malaysia) Joe Yun convinced all elements of the embassy to stop putting TDYers in hotel properties owned by the same billionaire who also owned the epicenter building for software piracy and refused to take action for years. That was up to a \$500,000 year hit to his hotel businesses (lots of military planning conferences in Thailand). It didn't change the IPR violating epicenter, but we sent a message by our policy and our choice.

From: [REDACTED]  
Sent: Friday, August 12, 2016 4:47 PM  
To: Kent, George P  
Cc: Wagner, JoAnne; [REDACTED] (EE/AA); [REDACTED] (KYIV/OEG); [REDACTED] (KYIV/DIR); [REDACTED] (Nairobi/EA/PDI); [REDACTED] (KYIV/PCS); [REDACTED] (KYIV/DIR); [REDACTED]; Kyiv, EXEC; [REDACTED]  
Subject: Re: Chornovol - American grants go to "Yanukovychs" and against the Ukr army

Hi George,

I wanted to follow back up on this. Although we didn't do anything with Burisma on the Donetsk pipeline repair issue as I mentioned below, I was just informed today that we have been working with Burisma through our Municipal Energy Reform Program (MERP) since Oct. 2014. In fact, our MERP project has an MOU (attached) with Burisma which covers cooperation on some public information activities (e.g., contests for best mass media materials on energy efficiency, alternative and clean energy sources, advantages of condominiums, etc.) conducted by MERP. Burisma participation has been limited to sponsoring prizes/awards for the winners, and participating in the award ceremony--the last one was conducted last year and another contest is underway now with the award ceremony planned for Sep. 13.

I imagine you'd like to discuss further, so pls advise and I'll set up. Thx.

\*\*\*\*\*

[REDACTED], Deputy Mission Director  
USAID/Ukraine, Moldova, & Belarus  
U.S. Embassy Kyiv

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On Wed, Jul 27, 2016 at 8:11 AM, Kent, George P

<[REDACTED]> <[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:\[REDACTED\]](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:[REDACTED])>

>> wrote:

Thanks, [REDACTED]

PA team - the below translation is just a part of her screed. Apparently it in the original must go into defense projects based on the title. Her reputed lover Pashynsky is neck deep in defense sector corruption. it would be worth reviewing the whole article to see what other allegations against us she makes.

Sent from my BlackBerry 10 smartphone.

Original Message

From: [REDACTED]

Sent: Wednesday, July 27, 2016 8:01 AM

To: Kent, George P

Cc: Wagner, JoAnne; Kyiv, POL Core; [REDACTED] (Kyiv); Kyiv, ECON FSOs; [REDACTED]

[REDACTED] (EE/AA); [REDACTED] (DCHA/OTI); [REDACTED]

[REDACTED] (KYIV/OEG); [REDACTED] (KYIV/DIR)

Subject: Re: Chornovol - Addressing FBI: American grants go to "Yanukovychs" and against the Ukr army

Hi George--no cooperation with them at all to my knowledge. We had some internal conversations including with your predecessor re: whether or not we could or should, but decided against it. There was a possibility of linking them to the Donetsk oblast administration to fix a pipeline with their own resources, not ours, as we didn't have the resources to do so on our own.

-----

Deputy Mission Director

USAID/Ukraine, Moldova, & Belarus

Sent from my iPhone

> On Jul 27, 2016, at 07:50, Kent, George P

<[REDACTED]> <[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:\[REDACTED\]](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:[REDACTED])>

>> wrote:

>

> Nasty smear here - against EuroOptimists, against Kasko, against potentially USAID.

>

> Chornovol, reputed lover of corrupt NF grey cardinal Pashynsky, is a loose cannon.

>

> But just for our background, [REDACTED] did Burisma ever co-sponsor a USAID activity as alleged?

>

> To remind: someone who joined the Burisma team is Hunter Biden. Zlochevsky is the corrupt ex minister of Ecology whose frozen assets were released by GPO perfidy in Dec 2014.

>

> Sent from my BlackBerry 10 smartphone.

> From:

[lbi@lbicompany.com.ua](mailto:lbi@lbicompany.com.ua) <<http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:lbi@lbicompany.com.ua>>

> Sent: Tuesday, July 26, 2016 9:16 PM

> To: Kyiv, Media Alerts

> Subject: UP: Addressing FBI: American grants go to "Yanukovychs" and against the Ukrainian army

>

>

>

> Ukrainska Pravda:

>

> Addressing FBI: American grants go to "Yanukovychs" and against the Ukrainian army

>

> Tetyana

Chornovol <[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://blogs.pravda.com.ua/authors/chornovol/](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://blogs.pravda.com.ua/authors/chornovol/)> Member of the parliament of Ukraine of the VIII convocation

>

>

>

> 26 of July 2016,

>

>

>

> Recently I visited two armored vehicles and artillery repair defense plants in Zhytomyr and Shepetivka. I am proud of the staff of the plants that are making powerful weapons literally from nothing, from old scrap, they got the production of parts up and running, which were previously purchased in Russia, they are modernizing old weapons, developing new ones, wonders on enthusiasm alone.

> And after that you just want to tear apart those scoundrels in Verkhovna Rada who dare to leave the plants that affect life at the front without money.

> MPs have been blocking the transfer of "Yanukovych's money" arrested in Ukraine to the state budget, although they know that under the Budget-2016 the defense plants are supposed to be financed from these funds.

> As a result, they are not being financed and the production, which picked up the pace last year, faltered significantly. Imagine that now, in the conditions of war, the defense plants in Ukraine are loaded only for 10-30%.

> This is a real BETRAYAL!

> However, for a year now the parliament cannot adopt a draft law that establishes the legal

mechanism for transferring this absolutely real, hard money, of which nearly a billion dollars is in "cash." For example, the information on "Oshchadbank."

>

>

> A list of deputies from the group "Euro-optimists" and "UDAR," who come from the environment "of grant eaters," those organizations and structures in Ukraine that are living by Western grants, including receiving funds coming from US taxpayers, are blocking the adoption of the law.

>

> Which is why I appeal to the FBI asking to investigate the impact of corrupt officials of the era of Yanukovich - Mykola Zlochevskyi and Serhiy Kurchenko – on the grant community.

>

>

> I have strong suspicions that it was the corrupt business of Zlochevskyi and corrupt connections of Kurchenko that blocked the passage of the draft law on special confiscation through the Verhkovna Rada. I suspect that the blockade is taking place due to the efforts of well-known Western lobbyists who work in Zlochevskyi's company Burisma Holdings, through their impact not only on "grant eaters," but also donors working in Ukraine.

>

> A sufficient part of the evidence the FBI can work with is already in the public domain. For instance, on the web site of the company Burisma Holdings, which officially belongs to Mykola Zlochevskyi. This business empire has been definitely created for corrupt funds.

> Now, remember that no one in Ukraine had such a fierce support from all possible grant eaters and donors like Kasko, who had been stubbornly dragged to the post of the Anti-Corruption Prosecutor.

> The same guard of Kasko, all "grant eaters" which cynically call themselves "Euro-optimists," "corruption fighters," "reformers" have thrown all possible resources, even used lies and slander to block the passage of the draft law on "special confiscation" through the parliament.

>

> And now look at the "accidental" coincidence: the web site of Burisma Holdings is the partner of a list of events of the Ukrainian office of USAID - the American agency that provides grant funds primarily for anti-corruption projects.

>

> What's curious is that after my briefing Burizma removed news about cooperation with USAID from its web site.

>

>

>

>

>

[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://blogs.pravda.com.ua/authors/chornovol/579729596f7a9/](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://blogs.pravda.com.ua/authors/chornovol/579729596f7a9/)

>



**From:** Kent, George P  
**Sent:** Thu, 1 Sep 2016 00:52:21 -0400  
**To:** [REDACTED]  
**Subject:** RE: Burisma

Thanks. For you only - if I don't raise it in the huddle (lots of ambo questions bouncing in my mind), please do.

My intent is to pull the plug on this so no further harm done

---

**From:** [REDACTED] >  
**Date:** September 1, 2016 at 7:46:07 AM GMT+3  
**To:** Kent, George P [REDACTED] >, [REDACTED] >, [REDACTED] >  
[REDACTED] (EA/DIR) <[REDACTED]>  
**Cc:** [REDACTED] (EE/AA) [REDACTED], [REDACTED] (KYIV/OEG) <[REDACTED]>, Purcell, Alan S <[REDACTED]>  
**Subject:** RE: Burisma's contribution to upcoming MERP energy efficiency event - how large is the potential reputational risk by association?

Agree with [REDACTED] – there is a clear link between the company and its primary owner. Zlochevsky is working very hard to clean up and “westernize” his image by hiring DC lobbyists and stacking the board with prominent people. From the rumors that we hear in the energy sector, there is no sense that Burisma has changed how it conducts its business. We have also heard that they have used the U.S. Embassy name to try to influence business transactions. Hard to prove, but certainly concerning. I fall on the side of not having anything to do with the company to avoid undermining our broader efforts to promote transparency and A/C.

SBU  
This email is UNCLASSIFIED.

---

**From:** [REDACTED]  
**Sent:** Thursday, September 01, 2016 7:15 AM  
**To:** Kent, George P; [REDACTED] (EA/DIR)  
**Cc:** [REDACTED] (EE/AA); [REDACTED] Purcell, Alan S; [REDACTED] (KYIV/OEG); [REDACTED]  
**Subject:** Re: Burisma's contribution to upcoming MERP energy efficiency event - how large is the potential reputational risk by association?

Sir,

Those that work in Ukraine's Energy sector definitely associate Burisma with Zlochevsky who has been trying to improve his image. USG cooperation on the project would make us look bad. Not to mention the MPs on the energy committee and others would wonder how we speak about anti corruption, but work with those that were associated with corrupt practices.

I think Burisma will try to make a big deal about partnering with USG on a project.

██████████  
Sent from my BlackBerry 10 smartphone.

**From:** Kent, George P

**Sent:** Wednesday, August 31, 2016 21:55

**To:** ██████████ (EA/DIR)

**Cc:** ██████████ (EE/AA); ██████████; Purcell, Alan S; ██████████  
(KYIV/OEG); ██████████

**Subject:** Burisma's contribution to upcoming MERP energy efficiency event - how large is the potential reputational risk by association?

+ ██████████ and ██████████

We took one pass through this, but I am not sure at the time we discussed that there would be an public event with coverage and likely co-branding with USAID and Burisma. That raises one question: will there be cobranding?

I don't remember all the back and forth in round one, but remind me: how much "know your partner" due diligence was done before this "public – private" partnership was launched this spring? Zlochevsky as a corrupt mal actor was a 2014 story; his control of Burisma, and the very sticky wicket of the Hunter Biden connection on Burisma's board was circulating in 2015. Below indicates the partnership was rolled out in 2016.

I understand this line taken at face value: The main objective of the Contest was to create incentives for journalists to ensure responsible and unbiased coverage of information on energy saving, tariff policy, subsidies, condominiums, and other related clean energy issues.

I would offer that Burisma's incentive to support could plausibly read: The main objective of Burisma was to create incentives for journalists to offer sympathetic coverage of the company on energy issues.

Which would seem to be the opposite of the contest's purpose.

██████████ / ██████████ – what is the ECON take in terms of potential reputational "guilt by association" risk with public partnering with Burisma? I realize I may well be wearing "overcompensating" glasses seeing everything through anti-corruption lenses, and having been seared by dealing the Zlochevsky asset freeze case; perhaps the Ukrainian public would not see the association in the same way I do.

On the other hand, there's always the Washington Post test of foreign service decision making. As in: would we want an article on the front page of the *Washington Post* (and in this case, the *Kyiv Post*, and on the FB pages of Sergiy Leshchenko and Mustafa Nayyem) commenting about this public private partnership with Burisma, the link to Hunter Biden, and the link to Zlochevsky, who almost certainly paid off the PGO in December 2014 (I had the then First deputy PG Danylenko tell me the bribe was \$7 million) to have the case against him closed and his \$23 million in assets frozen in the UK unfrozen?

██████████ – PA views?

**From:** ██████████  
**Sent:** Wednesday, August 31, 2016 4:51 PM  
**To:** Kent, George P  
**Cc:** ██████████ (EE/AA); ██████████; Purcell, Alan S; ██████████  
(KYIV/OEG)  
**Subject:** Fwd: A few words on Burisma's contribution to upcoming MERP energy efficiency event

Hi George,

Just following up our earlier exchange re: engagement with Burisma. Our energy efficiency activity, known as "MERP", has an upcoming (Sep. 13) award contest for journalists that involves Burisma. Burisma would be providing up to \$7,500 of its own money for these awards. At this late a stage, it might not be prudent to cancel the event or Burisma's contribution but we can do that if needed.

Going forward, we can certainly have our MERP contractor disengage from their cooperation with Burisma.

Pls see below for further details. Happy to discuss further.

Thanks,

██████████

\*\*\*\*\*

██████████, Deputy Mission Director  
USAID/Ukraine, Moldova, & Belarus  
U.S. Embassy Kyiv

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Flickr: <http://redirect.state.sbu/?url=https://www.flickr.com/photos/usaidukraine>

----- Forwarded message -----

From: [REDACTED] >

Date: Wed, Aug 31, 2016 at 10:49 AM

Subject: A few words on Burisma's contribution to upcoming MERP energy efficiency event

To: [REDACTED]

As requested.

**Here is requested information on the upcoming MERP 2016 Contest for Journalists and the extent of Burisma's involvement:**

Earlier this year USAID MERP announced and conducted a contest among Ukrainian journalists for best published media materials covering energy efficiency, alternative and clean energy sources, advantages of condominiums, tariff reform and social protection programs. As it was announced, the contest was conducted in cooperation with the Center for Ukrainian Reform Education. Since dealing with promotion of energy efficiency, Burisma offered to provide about \$7,500 in awards to winners. The main objective of the Contest was to create incentives for journalists to ensure responsible and unbiased coverage of information on energy saving, tariff policy, subsidies, condominiums, and other related clean energy issues.

Journalists from thirteen oblasts of Ukraine were invited to participate in the contest in the following categories:

- "Best material in printed and on-line media"
- "Best TV material"
- "Best radio material"

The deadline for applications was May 15, 2016. A special commission reviewed submitted materials and identified eight winners in the different categories. The winners have been notified, and an official award ceremony is currently scheduled for September 13, 2016. Burisma's role is to provide the prizes for the winners (prizes have been already purchased - photo cameras, laptops, tablets). The ceremony will be taking place at the reception hall of Podil Radisson Blu Hotel (arrangements for the venue have been already made by MERP). The USAID EG office director will be the highest level of attendance.

**Canceling the ceremony or zeroing out Burisma's contribution at this stage may create considerable negative publicity, in particular among the journalists.**

**From:** John Herbst  
**Sent:** Mon, 29 Aug 2016 19:44:24 +0000  
**To:** Kent, George P  
**Subject:** RE: Dinner on the 12th

<http://redirect.state.sbu/?url=http://www.rferl.org/content/who-would-replace-uzbekistan-karimov-president/27952766.html>

You probably already have this in one form or another. I have no clue who will replace Karimov, if his time has come, but it is interesting that the two Rustams are mentioned. They would have been mentioned in similar circumstances when I was in Tashkent. Also, there is no reason to assume that any of these three will be the one. In any case, I do not expect a power struggle.



**John Herbst** | Director, Dinu Patriciu Eurasia Center  
Ambassador (Ret.)  
1030 15th Street, NW, 12th Floor | Washington, DC 20005  
T: +1.202.778.4965 | Cell: [REDACTED] | Email: [jherbst@AtlanticCouncil.org](mailto:jherbst@AtlanticCouncil.org) |  
[www.facebook.com/AtlanticCouncil](http://www.facebook.com/AtlanticCouncil) | [@JohnEdHerbst](https://twitter.com/JohnEdHerbst) | [www.AtlanticCouncil.org](http://www.AtlanticCouncil.org)

---

**From:** Kent, George P [[http://redirect.state.sbu/?url=mailto:\[REDACTED\]](http://redirect.state.sbu/?url=mailto:[REDACTED])]  
**Sent:** Monday, August 29, 2016 3:09 PM  
**To:** John Herbst <[JHerbst@ATLANTICCOUNCIL.ORG](mailto:JHerbst@ATLANTICCOUNCIL.ORG)>  
**Subject:** Dinner on the 12th

Sounds good. [REDACTED], and what we talk about.

[REDACTED]

---

**From:** John Herbst [<http://redirect.state.sbu/?url=mailto:JHerbst@ATLANTICCOUNCIL.ORG>]  
**Sent:** Monday, August 29, 2016 10:04 PM  
**To:** Kent, George P; Taylor, W  
**Subject:** RE: PGs and Baseball, and Kyiv

George,

I'd be happy to join you for dinner Sep 12. Let's do this solo. I would like to get your take on just about everything.

[REDACTED]



John



**John Herbst** | Director, Dinu Patriciu Eurasia Center  
Ambassador (Ret.)  
1030 15th Street, NW, 12th Floor | Washington, DC 20005  
T: +1.202.778.4965 | Cell: +1 [REDACTED] | Email: [jherbst@AtlanticCouncil.org](mailto:jherbst@AtlanticCouncil.org) |  
[www.facebook.com/AtlanticCouncil](http://www.facebook.com/AtlanticCouncil) | [@JohnEdHerbst](https://twitter.com/JohnEdHerbst) | [www.AtlanticCouncil.org](http://www.AtlanticCouncil.org)

---

**From:** Kent, George P  
[[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:\[REDACTED\]](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:[REDACTED])]  
**Sent:** Monday, August 29, 2016 2:46 PM  
**To:** John Herbst <[JHerbst@ATLANTICCOUNCIL.ORG](mailto:JHerbst@ATLANTICCOUNCIL.ORG)>; Taylor, W <[REDACTED]>  
**Subject:** PGs and Baseball, and Kyiv

We just heard about Lutsenko's interest in a US run (27-28 Sept) this evening from DOJ. He's asking for DOJ leadership. Bruce Schwartz (the DAG for international affairs) may be what's offered. I've been the Lutsenko handler this year – have met him more than a half dozen times, including three before his appointment, and 3-4 since. We now have former NJ Federal prosecutor (and born in Ukraine) Bohdan Vitvitsky as an embedded adviser. Bohdan has started drinking a bit of the Lutsenko kool-aid the past week or so, in the wake of the PGO-NABU showdown, which to the rest of the outside appears like a straight forward old Ukraine-New Ukraine morality tale. Bohdan thinks they all are acting like puerile middle schoolers. That may be true, but it may also be true that Lutsenko ends up on the wrong side of history by choice. I suspect he had terms dictated to him by P2, in terms of untouchables under him (who are an integral part of Team Shokin, and whom he told me initially in the spring time needed to be cleaned out). Those untouchables—Stolyarchuk and Sus—before Lutsenko came on board went after the folk we were working with to reform the PGO in the way P2 asked VP Biden, even to the point of arrogantly saying in public they would summon the US Ambassador (Geoff) for an interrogation (about our assistance, which they felt was being skimmed by the reformers which they forced out). Sus is the one who went after NABU this month. Lutsenko unapologetically defended Sus to the hilt last week to me, in what was the most disappointing engagement we've had with him to date.

My honor to sit with you over coffee, or a meal – dinner Sept 12? I have hired my Thai cook from two Bangkok tours to be the DCR chef; she arrived last week. Happy to just have you over, or invite some Ukrainian interlocutors as well. Alas, it's still the old DCR. OBO's incompetence in managing the overhaul of the old Marine House and soon to be DCR knows no bounds. They turned over the property/project to the embassy last summer. But Embassy discovered over the winter that: the average temperature with the heat on was between 32-40F in jan/Feb; the water and sewage did not

meet code; and the electricity load was ¼ what a building that size needed (so they couldn't add space heaters). Same factors affected the new America House/old Consular section, which shut down last winter due to the cold. So we won't move into our new digs until October it would appear (with our HHE in a warehouse on the outskirts of town, and we living on suitcases and UAB).

Regards - George

---

**From:** John Herbst  
[<http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:JHerbst@ATLANTICCOUNCIL.ORG>]  
**Sent:** Monday, August 29, 2016 9:05 PM  
**To:** Taylor, W; Kent, George P  
**Subject:** RE: former PG Yarema's trip to DC - what is his agenda, and what is his angle (and peanut gallery commentary)

George,

Thanks for this meaty warning. We already agreed to host Yarema and will not change that. But I will factor into our conversation the Zlochevsky Affair. We are doing a lot of PG work in late September as we also host Lutsenko. Anything that you might share on that would also be appreciated.

Also, I will be in Kyiv Sep 12-18 with Adrian Karatnycky and Anders Aslund. We are formally seeking a meeting with Masha, but it would also be good to sit with you separately. I am on my own the PM of Sep 12 and AM of Sep 13. Can I buy you a drink or coffee in that time slot?

Curiously, Ortiz seems to be having his best season at the tail end of his career.

Best,  
John



**John Herbst** | Director, Dinu Patriciu Eurasia Center  
Ambassador (Ret.)  
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**From:** Taylor, William  
[<http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redir>



**Sent:** Monday, August 29, 2016 11:23 AM

**To:** John Herbst <[JHerbst@ATLANTICCOUNCIL.ORG](mailto:JHerbst@ATLANTICCOUNCIL.ORG)>; Taylor, William [REDACTED] >

**Subject:** former PG Yarema's trip to DC - what is his agenda, and what is his angle (and peanut gallery commentary)

Ambassadors – thank you for your joint 25<sup>th</sup> anniversary missive. Well targeted and eloquent as always. Masha is officially launched – just finished presenting credentials to P2, and now back in with soon to be ex Chief of Staff Lozhkin, who tendered his resignation today, with one of his proteges, Kharkiv governor Rainen, tapped as his replacement.

Kyiv POL has been fielding inquiries from former PG Yarema's team about an upcoming trip in two weeks, as well as from the Ukraine desk at state (below). Your two organizations (and at least one of you in person) is listed.

I would be interested to hear your impressions about Yarema after you see him, presuming he stays on both the Atlantic Council and USIP's schedule. Following is my gratuitous commentary, for what it may be worth:

I have never met Yarema, I should state (before continuing with my two bits). I do wonder whose interests he is promoting. I have no wonder at all that it is not Ukraine's. The most notable decision by the PGO during his tenure (and he had his whole team come in and leave with him) was not any case pushed to the courts/conviction during his year, despite all the manifest crimes of the Maidan and Yanukovich era, but was a gross miscarriage of justice that undermined months of US assistance. After the FBI and MI-5 spent months and arguably millions working to try to put together the first possible asset recovery case (against former Minister of Ecology Zlochevsky), involving \$23 million frozen in UK accounts, under suspicion of bribes paid for licenses issue for gas/oil permits...Team Yarema closed the case against Zlochevsky in December 2014 just before western Christmas day, by turning it into a case against the ministry rather than ex minister, returning it to the MOI/police for further investigation, and issuing an immediate letter to Zlochevsky's defense lawyer team that there was no active case against their client; defense lawyers flipped that to the British judge, who unfroze the assets that were whisked out of UK jurisdiction before the UK authorities or we could learn/react.

When I met with Yarema's right hand man, the jovially corpulent first Deputy PG Danylenko six weeks later during the first week of Feb 2015, I asked him bluntly how much was the bribe and who took it. Danylenko cheerfully replied: "that's exactly what President Poroshenko asked us last month. I told him \$7 million and it was last May, before our team came into office (in June 2014)." He then said that he'd been a friend of Zlochevsky for 20 years, had his number saved in his phone, could tell me that Zlochevsky was in Dubai at present, and asked if I wished to talk to him to confirm details. I declined, and politely reminded him that the PG letter closing the case was issued in late December, more than 6 months after team Yarema came into office, which means it was Yarema, Danylenko and Co who were responsible for the outrage. He just smiled smugly. They were gone within a month, replaced by Team Shokin, which proved even more venal in overtly preventing USG efforts to reform the justice system...all in response to the direct request of Poroshenko to US leaders. Yarema has had zero public profile in the 18 months since he faded into the woodwork. I presume he's enjoying whatever the inducements were paid to take no action against anyone for a year. The first post-EuroMaidan PG who did nothing for 5 months, Mahnytsky (affiliated loosely with Svoboda at the time), reportedly was gifted control of the Hyatt from Team Donetsk. That might explain why elements of the ancient regime were



- Tuesday Sept. 13, 2016  
08:30 - Breakfast at the Hotel  
10:00 - Meeting with Congresswoman Marcy Kaptur (Dem. Party).

---  
4:00pm - Wall Street Journal Interview

- Wednesday Sept. 14, 2016  
08:00 - Breakfast at the Hotel  
09:00 - Foreign Policy interview

----  
4:30pm - laying flowers to the Taras Shevchenko monument.

- Thursday Sept. 15, 2016  
08:00 - Breakfast at Hotel  
09:30 - Peace Institute Amb. Taylor

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- Friday Sept. 16, 2016

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- Saturday Sept. 17, 2016  
09:00 - Breakfast at Hotel  
10:00 - City Tour  
1:30pm - Move out from Hotel  
5:00pm - Flight from Washington DC

-----

Meetings that are confirmed but waiting on the time:

-Senator Ted Cruz  
- Senator John McCain  
-Senator Durbin Office - National Security Advisor.  
-Voice of America Interview  
-IRI - Stephen Nix and Mark Green  
-State Dept - Ukrainian Desk  
Bohdan Futey - US Federal Judge

Waiting for Confirmation on meetings:

Congressman Eliot Engel  
Senator Chris Murphy  
National Security Council - Greg Pflieger

INL

Andrii

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SBU

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Facts

17:51 Court seizes property of ex-minister Zlochevsky in Ukraine

04.02.2016

2 min read



The movable and immovable property of former Minister of Ecology and Natural Resources of Ukraine Mykola Zlochevsky in Ukraine has been seized, according to the press service of the Prosecutor General's Office of Ukraine (PGO).

"The PGO filed a petition to court to arrest the property of the ex-Minister of Ecology and Natural Resources of Ukraine, the Deputy Secretary of the National Security and Defence Council of Ukraine, Mykola Zlochevsky, from which arrest was withdrawn, and other property he actually uses, namely housing estate with a total area of 922 square meters, a land plot of 0.24 hectares, a garden house with a total area of 299.8 square meters, a garden house in the territory of Vyshgorod district, a garden house of 2,312 square meters, a land plot of 0.0394 hectares, a Rolls-Royce Phantom car, a Knott 924-5014 trainer," reads the report.

The PGO clarifies that the court satisfied the petition on February 2, 2016.

"Thus, none of the objects of movable and immovable property, which was seized under the previous court ruling, has not been excluded from Zlochevsky's property," the press service said.

Zlochevsky is suspected of committing a criminal offense under Part 3 of Article 368-2 of the Criminal Code of Ukraine (illicit enrichment).

Tags: #court #pgo #zlochevsky



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Cabinet sets up Ministry for Strategic Industries

Ukraine records 829 people with COVID-19 over past day, 973 recoveries, 16 deaths

Lutsk hostage taker surrenders to police after 12 hours of holding people as hostages on bus – SBU

SBU, SFS raiding Ukrzaliznytsia's facilities – Ukrzaliznytsia

LATEST

Cabinet to extend adaptive quarantine until August 31 – Shmyhal

Cabinet sets up Ministry for Strategic Industries

Ukraine opens 'visa-free' regime for citizens of Australia, New Zealand, Bahrain, Kuwait, Oman and Saudi Arabia from Aug 1 – decree

Lutsk hostage taker had combat weapons - Avakov

Ukraine records 829 people with COVID-19 over past day, 973 recoveries, 16 deaths

Lutsk hostage taker surrenders to police after 12 hours of holding people as hostages on bus – SBU

SBU, SFS raiding Ukrzaliznytsia's facilities – Ukrzaliznytsia

Lutsk gunman not giving water, food to hostages – Gerashchenko

Lutsk hostage taker fires several times at drone, throws an object from bus, no victims reported

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Ситуація в Крим. Яку гру

Українські граніці зможе

Принц Гарри признался, что принял поспешное решение



Explosive experts dispose of one hand grenade thrown from bus by hostage taker in Lutsk – police



У Зелена расказа: думаєт про Крим



Россия вторглась в область

## MORE ABOUT

17:32  
21.07.2020



Court closes proceedings in case opened under claim of ex-shareholder in PrivatBank Gorokhovskiy seeking invalidation of bail-in

13:39  
21.07.2020



Hostage taker in Lutsk declares presence of another explosive device elsewhere - PGO

18:32  
18.07.2020



Article on judges' criminal liability for unjust decisions was actually used to put pressure on judges - Supreme Court head

17:05  
18.07.2020



Danishevskaya: I hope there will be no claims to legitimacy of Supreme Court after Constitutional Court's decision

14:53  
18.07.2020



Swearing in of judges appointed by president is priority - Supreme Court head

13:57  
18.07.2020



Supreme Court head: Judicial system will stop without changes to law on judicial system, status of judges

15:39  
13.07.2020



Court releases suspect Dahur in Sheremet murder case from house arrest

16:18  
10.07.2020



The Netherlands brings MH17 case against Russia before ECtHR

17:12  
08.07.2020

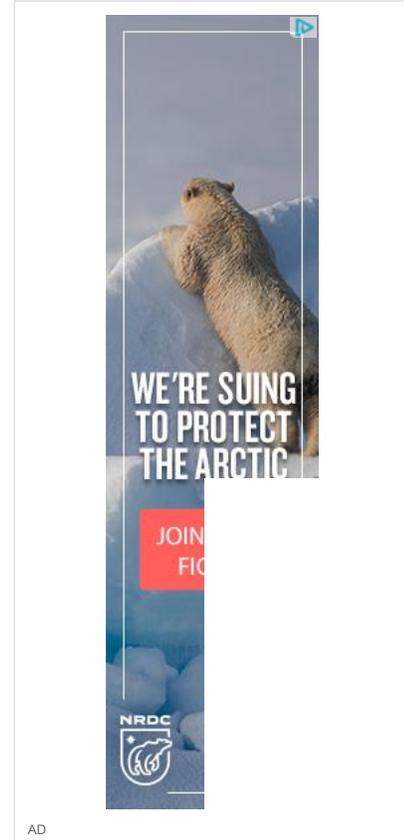


Pre-trial investigation into Poroshenko's case on appointing Semochko completed, petition on measure of restraint not subject of consideration – lawyer Novikov

12:01  
08.07.2020



Former border guard suspected of aiding Poroshenko in illegal crossing the border in 2018 – PGO



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STAFF EXHIBIT



Зеленский не смолчал на обвинения Шария



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Дыра недели. Мрачный городок возле моря, где говорят по-русски

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TS/GAC MAJORITY STAFF EXHIBIT

**From:** Sally Painter  
**Sent:** Mon, 13 Jun 2016 20:11:19 +0000  
**To:** Fried, Daniel  
**Subject:** Fwd: Connecting

Dear Dan,  
Thanks for trying. I sent the note to the DCM below but have not heard back. Do you know if he has left? Many thanks again. Warmest sally

Sent from my iPhone

Begin forwarded message:

**From:** <[Sally.Painter@bluestarstrategies.com](mailto:Sally.Painter@bluestarstrategies.com)>  
**Date:** June 10, 2016 at 8:26:12 AM EDT  
**To:** <[GPKent](#) [REDACTED]>  
**Subject:** Connecting

Dear Mr. Kent.

Good morning. A mutual colleague and friend, Dan Fried, suggested you might be available for a meeting while you are in Washington. Are there any times that might be convenient for your schedule today or even this weekend. Many thanks in advance for your consideration. Warmest personal regards sally painter

Sent from my iPhone

**From:** Bohdan Vitvitsky  
**Sent:** Wed, 31 Aug 2016 10:52:35 +0300  
**To:** Kent, George P  
**Cc:** Cole, Jeffrey W; Smith, Christopher W; Johannes Vandenhoogen  
**Subject:** Re: Good Morning

I got the sense that they had visited within a week or so of when I learned about them, which was on July 29.

On Wed, Aug 31, 2016 at 10:47 AM, Kent, George P [REDACTED] > wrote:

+ Johannes

Bohdan – when were the consultants here? Just curious.

FYI to you all: I SMSed Lutsenko last night (after consults with Jeff and Johannes) to ask what was up with the trip, was it true he was using a third hand rather than working through the Ukrainian embassy and our embassy, which was the proper path in my view. I also (as agreed with Jeff) FB messaged the Ukrainian Washington Embassy DCM (on vacation with diaspora relatives in California). She acknowledged awareness of Lutsenko's planned trip and the Atlantic Council session in the works, the Ukrainian embassy's intent to run the official engagements with USG officials (she was going to recommend Ambassador Chaliy reach out/engage Lutsenko when Chaliy got back in town), and that it could be challenging to work with third party trip facilitators (ie lobbyists).

Lutsenko responded this morning confirming a trip was in the works, and requesting a one on one meeting to discuss. To be continued (I can't keep my Blackberry in my office, and thus am not engaged in an ongoing discussion).

As Jeff, Johannes, and I discussed yesterday, engagement in Washington has the potential upside of allowing Washington interlocutors to deliver stiff messages and not leave us Kyiv-based folk as the only such voices. We'll see where the trip facilitators and eventually the Ukrainian embassy drive this. On the State side, INL A/S Brownfield is a tough, feisty Texan who loves delivering straight messages with his quirky humor; EUR DAS Brink already engaged Lutsenko in May with appropriate tonality. Our sense is Bruce Szwartz knows the same game. We'll see what else may emerge. We will not offer meetings, but presuming the trip is a go regardless, we'll see to ensure appropriate messaging from appropriate interlocutors.

**From:** Bohdan Vitvitsky [mailto: [REDACTED] ]  
**Sent:** Wednesday, August 31, 2016 9:56 AM  
**To:** Kent, George P  
**Cc:** Cole, Jeffrey W; Smith, Christopher W  
**Subject:** Re: Good Morning

Gentlemen,

Respectfully, meetings with DOJ brass needs to be a bennie that we guard very jealously.

On Tue, Aug 30, 2016 at 5:58 PM, Kent, George P [REDACTED] > wrote:

Oof. Blue Star again. Thanks.

**From:** Bohdan Vitvitsky [mailto: [REDACTED] ]  
**Sent:** Tuesday, August 30, 2016 9:37 AM  
**To:** Kent, George P; Cole, Jeffrey W; Smith, Christopher W  
**Subject:** Re: Good Morning

The two who were here are:

Karen A. Tramontano, CEO at Blue Star Strategies; '97-01 Deputy Chief of Staff to Pres. Clinton and counselor to Chief of Staff John Podesta (the connection?); in 01 Chief of Staf for Pres. Clinton's transition team.

John D. Buretta: partner at Cravath; Principal Deputy Assistant A.G. in Crim Div Feb. '13 to Oct. '13; former AUSA.

On Mon, Aug 29, 2016 at 10:39 PM, Bohdan Vitvitsky [REDACTED] > wrote:

Gentlemen,

Re Jeff's question about Lutsenko's apparent visit to D.C., please see my second paragraph below.

----- Forwarded message -----

From: **Bohdan Vitvitsky** [REDACTED] >  
Date: Friday, July 29, 2016  
Subject: Good Morning  
To: [REDACTED] (Kyiv)" <[REDACTED]>

Hello [REDACTED],

Had meet with Lutsenko this morning. He agreed with my points that everybody at IG has to be selected by selection commission, the majority of whose members have to be non-PGO. Also agreed to double the salaries of IG personnel. I agreed that if they won't have enough money for testing, I'd get it either from us or the Euros. Please share with DCM.

When I asked him whether he'd have time, if the opportunity arose, to go to D.C. to meet with folks at DOJ, FBI etc. IGs, he said that he had been invited yesterday by people from D.C. to come there to meet some Hillary people and some official people. I was rather taken aback by our lack of coordination. The two people about whom he was referring are Karen Tramontano and John Buretta (I'm translating from Ukrainian, so spellings might not be 100% accurate). My Q is, what the blazes? Does our right hand speak with our left hand?

Bohdan

**From:** Kent, George P  
**Sent:** Thu, 15 Sep 2016 16:06:24 -0400  
**To:** Yovanovitch, Marie L  
**Subject:** Zlochevsky, Cravath, Burisma (and Blue Star)

This is further to the Blue Star effort to rehabilitate the reputation of their non-client in the US, former Ministry of Ecology Zlochevsky, who clearly has retained the services of a blue chip law firm (Cravath), and his energy company Burisma, which in turn has Hunter Biden on its board.

I think a briefing by Johannes and Jeff Cole on the background of the Zlochevsky case and the US effort therein would be in order, so you can separate what the US position on this set of circumstance is, as opposed to paid legal counsel.

SBU  
This email is UNCLASSIFIED.

---

**From:** Yovanovitch, Marie L  
**Sent:** Thursday, September 15, 2016 7:01 PM  
**To:** Kent, George P  
**Subject:** Fw: Letter from John Buretta

What is this about?  
Sent from my BlackBerry 10 smartphone.

---

**From:** Jun Li <[jli@cravath.com](mailto:jli@cravath.com)>  
**Sent:** Thursday, September 15, 2016 6:10 PM  
**To:** Yovanovitch, Marie L  
**Cc:** John Buretta  
**Subject:** Letter from John Buretta

Ambassador Yovanovitch:

Please see the attached letter from John Buretta.

Regards,  
Jun

Jun Li  
Cravath, Swaine & Moore LLP  
825 Eighth Avenue, New York, NY 10019  
212-474-1358 | [jli@cravath.com](mailto:jli@cravath.com)

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KEVIN J ORSINI  
MATTHEW MORREALE  
JOHN D BURETTA  
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SPECIAL COUNSEL  
SAMUEL C BUTLER  
GEORGE J GILLESPIE, III

OF COUNSEL  
MICHAEL L SCHLER

September 15, 2016

Dear Ambassador Yovanovitch:

I respectfully write with regard to my clients, Burisma Holdings Limited (“Burisma”) and Mr. Mykola Zlochevskiy, to address the announcement yesterday by the Pechersk District Court of the City of Kyiv of the Decree dated September 13, 2016. The Court reviewed the case file and came to the conclusion that Mr. Zlochevskiy is a witness, not a suspect, in criminal proceeding No. 4201400000000805, and that no further criminal procedural measures should be taken against him. The Court also ordered the Prosecutor General’s Office of Ukraine (the “PGO”) to remove Mr. Zlochevskiy’s name from the wanted list, due to a lack of evidence. The Court’s decision is consistent with the prior findings of a U.K. Court that the same allegations against Mr. Zlochevskiy were unsupported. Both courts’ decisions reflect the application of the rule of law to the facts and should be respected.

Mr. Zlochevskiy owns Burisma, one of Ukraine’s most significant natural gas producers. Burisma is a well-run company committed to Ukraine’s energy independence and to good corporate governance. Burisma’s board of directors is comprised of, among others, prominent and experienced U.S. and European advisers who likewise are committed to sustainable energy production and legal compliance.

In August 2014, the PGO opened an investigation (No. 4201400000000805) pursuant to part 3 of Article 368-2 of the Criminal Code of Ukraine. The investigation was opened shortly after the United Kingdom’s Serious Fraud Office (the “SFO”) commenced a money laundering investigation in March 2014, and obtained a Restraint Order on Mr. Zlochevskiy’s companies’ accounts held at a London branch of BNP Paribas (“BNP”) in April 2014. The centerpiece of the SFO’s claim was that Mr. Zlochevskiy had allegedly abused his position as the Chairman of the State Committee on Natural Resources in order to issue special permits for subsoil rights to companies in which he had an interest, thus purportedly committing the common law offense of misconduct in public office. In connection with the U.K. proceeding, the

Ukrainian government, BNP and Mr. Zlochevskiy produced voluminous materials to the SFO and to the U.K. Central Criminal Court (the "U.K. Court") for consideration. Those materials included, among others, documents explaining the origins of Mr. Zlochevskiy's wealth, the regulatory environment in Ukraine, the history of the corporate structure of Mr. Zlochevskiy's companies, the nature of the business deals that resulted in the payments into the BNP accounts, the reasons why the accounts were opened in the first place and the information required by and provided to BNP to ensure regulatory compliance.

In a lengthy decision, the U.K. Court soundly rejected the SFO's claim that there was reasonable cause to believe Mr. Zlochevskiy's assets were unlawfully acquired as a result of misconduct in public office. The decision is attached hereto as Exhibit A. The U.K. Court stated that "the case remains a matter of conjecture and suspicion with no or insufficient concrete data on which a clearly founded restraint application is made." (Exhibit A at 20.) Furthermore, the U.K. Court found that there were no "reasonable grounds for a belief that [Mr. Zlochevskiy's] assets were unlawfully acquired as a result of misconduct in public office. It is plain from the business history now available that [Mr. Zlochevskiy] was already a businessman of some 12 years standing before he held office. He was declaring income of some US \$2 million throughout his second period of office. Oil and gas industries can yield very large sums of money and according to the prospectus material in the possession of the BNP, the Burisma group of companies is the second largest gas producer in Ukraine at a time when demand for gas was rising, and its total worth is now very great." (*Id.* at 14-15.) Finally, the U.K. Court found that there was a material and "significant failure of disclosure of relevant documents" on the part of the SFO; in other words, the SFO withheld evidence favorable to Mr. Zlochevskiy. (*Id.* at 13 ("10 of the 17 documents in the defendant's supplementary schedule should have been disclosed . . . The judge was left with the impression that the only reason for the accounts to be opened was money laundering, whereas evidence about the companies' reasons for opening the accounts, the information they provided to the due diligence inquiries, and the bank's initial satisfaction with answers in response to its information gathering before opening the accounts, would all be evidence that a defendant, if present at the hearing, would have wanted to have been before the judge.")) As a result, the Court discharged the restraint order and exercised its discretion to refuse to enter a new order. (*Id.* at 20.)

The U.K. Court's decision was premised on the rule of law. Information was exchanged, evidence was adduced and a court of law made a decision based on written laws. With due process applied, the baseless allegations against Mr. Zlochevskiy were soundly rejected.

In the past, media outlets in Ukraine and others, including the former Ambassador to Ukraine, have conveyed a different, and inaccurate, narrative about the U.K. case. As recently as a few months ago, for example, the Kiev Post claimed that the outcome of the U.K. proceeding was allegedly the result of corruption within the PGO and specifically driven by the PGO's provision of a letter to the U.K. Court claiming that no investigation of Mr. Zlochevskiy was then pending in Ukraine. The claim in the Kiev Post, which echoed prior inaccurate statements along the same lines by others, is clearly

incorrect. The U.K. Court based its decision on the facts and the law, not based on a letter from the PGO about whether an investigation existed in Ukraine. (*Id.* at 21 (“investigation 805 was one of those mentioned in the 2 December 2014 letter which stated that allegation notification had not been delivered due to absence of grounds for criminal prosecution. It is not known why the authorities subsequently changed their minds 27 days later, or whether fresh evidence has arisen. Equally it is not known what persuaded the judge to make a seizure order without notice, when of course the assets were already subject to an existing UK order of which the defendant had notice.”).) These baseless claims in the media, seeking to tarnish Mr. Zlochevskiy’s reputation, are the opposite of the rule of law.

The recent actions of the Pechersk District Court only further demonstrate that the claims against Mr. Zlochevskiy in Ukraine—claims that the U.K. Court had already adjudicated and rejected—are baseless. The Ukraine Court’s decision was preceded by provision to the Special Investigative Division of voluminous documentation demonstrating the bona fides of Mr. Zlochevskiy’s income. We attach hereto as Exhibit B a list of certain key documents previously provided to the PGO.

We respectfully request that Your Excellency take into consideration these objective facts when considering the narrative promoted by some, and no doubt to be repeated again, in disregard of the facts and the law and the decisions by courts in two different countries.

Respectfully,



John D. Buretta

Ambassador Marie L. Yovanovitch  
U.S. Embassy in Ukraine  
4, I. Sikorsky St. (formerly Tankova)  
04112 Kyiv, Ukraine

VIA EMAIL AND COURIER

HSGAC MAJORITY STAFF EXHIBIT

# Exhibit A



Case No: RSTO/7/2014

**IN THE CENTRAL CRIMINAL COURT**

Old Bailey  
London  
EC4M 7HS

Date: 20/01/2015

**Before :**

**THE HONOURABLE MR JUSTICE BLAKE**

-----  
**Between:**

**SERIOUS FRAUD OFFICE**  
**- and -**  
**MYKOLA ZLOCHEVSKYI**

**Applicant**

**Defendant**

-----  
**Mr Jonathan Kinnear QC and Mr Jonathan Lennon** (instructed by) for the **SFO**  
**Mr Hugo Keith QC** (instructed by Peters and Peters) for the **Defendant**

Hearing dates: 3.12.2014 – 5.12.2014  
-----

**Approved Judgement as Revised 21 January 2015**

**The Honourable Mr Justice Blake:**

Introduction:

1. On 16 April 2014, at a without notice application made to His Honour Judge Kramer QC sitting in private at this court, a restraint order was made against the defendant, who I shall refer to as MZ for short, and three third parties, Brociti Investments Limited, Burisma Holdings Limited and Andrii Kicha preventing them from dealing with assets in a number of bank accounts (the accounts) held at a London branch of the BNP Paribas (BNP).
2. This is the hearing of the defendant's application to discharge the order and, in the event that the order was to be discharged, the applicant's application for a new order in similar terms.
3. MZ is a national of Ukraine, he is a wealthy businessman. He is a former member of the Ukrainian parliament, the Rada, and has held political office. From 16 December 2003 to 22 February 2005 he was appointed Chairman of the State Committee for Natural Resources, a committee overseen by the Ministry of Environmental Protection. During that time two private companies owned by the defendant, Esko-Pivnich and Pari, were awarded licences to explore for oil pursuant to a new procedure for tendering established by a resolution of the Ukrainian Cabinet of Ministers in October 2003. Other exploration licences were subsequently awarded when he was not in office as were further licences to commence production.
4. In February 2005, the defendant was dismissed from his post when there was a change of government in Ukraine. He remained out of office until March 2010 when there was another change of government that remained in power until February 2014. During this second period the defendant held the posts successively of Chairman of the State Committee for Material Reserves (March to July 2010); Minister of Environmental Protection (July to December 2010); Minister of the Environment and Natural Resources (December 2010 to April 2012) and Deputy Secretary of National Security (April 2012 to February 2014). The first three positions were connected with the licensing of exploration and production of the natural resources of Ukraine. The last position was not and did not form part of the executive.
5. In February 2006, during the period when he was out of office and his political opponents were in power, an executive decree cancelled the exploration licences granted to his companies in 2004. The validity of this decree was successfully challenged in the Ukrainian courts in 2007, and the prosecutor's subsequent appeals up the judicial hierarchy as far as the Supreme Court of Ukraine were all dismissed. In February 2006 the Minister of Internal Affairs announced a criminal inquiry into the activities of the committee of which the defendant was chairman but no formal investigation resulted. Allegations of corruption against political opponents appear to have been a feature of Ukrainian political life at this time. The same minister was one of those subsequently jailed for offences following the change of regime in 2010.

6. The only connection that the defendant has with the United Kingdom is that the two companies owned by him, Brociti Investments and Burisma Holdings, have held bank accounts at the BNP since about June 2013. Some US\$35 million was paid into these accounts, of which it is estimated that \$20 million was provided by a company owned by Mr Sergey Kurchenko. Since the change of regime in Ukraine in February 2014 criminal proceedings have been instituted against Mr Kurchenko and his name also appears on a restrictive measure directed against certain persons in view of the situation in Ukraine (Council Regulation (EU) No 208/2014 effective from 5 March 2014 onwards).
7. Mr Andrii Kicha is a Ukrainian commercial lawyer, the chief legal officer of Burisma and other companies owned by the defendant. He was the sole authorised signatory on the BNP accounts that are the subject to the restraint order. On 11 and 25 March 2014 he instructed BNP to transfer the balance of some \$23 million held in the accounts to other accounts of the companies held in Cyprus. In his witness statement of 18 June 2014, made for the purpose of these proceedings, he states that the reason for the transfer was that BNP had wanted, since October 2013, to close the accounts and an end date of 4 April 2014 had been agreed in order to do so.
8. It seems, however, that these requests may have been the trigger for a notification by the bank to the SFO. On 22 March 2014 the Director of the SFO authorised a money laundering investigation into the defendant. On 3, 4 and 8 April production orders were issued to the bank pursuant to s. 345 of the Proceeds of Crime Act 2002 (the Act). The first two orders were complied with by 11 April 2014. The third order resulted in much more documentation being supplied to the SFO between 6 May and 20 May 2014 and a special team was assembled to examine 6170 electronic documents. As a result of this review, on 22 August 2014, 22 documents were produced to the defendant in pursuit of the applicant's duty of disclosure.
9. The SFO investigator Richard Gould made a witness statement on 14 April 2014 in support of the without notice application. The investigation was in its early stages, and the information available to him comprised the product of the two orders that BNP had by then complied with, some information supplied by the NCA liaison officer in Kiev and the product of his own unspecified researches on the internet. A short supplementary (unnumbered) statement by him was filed on 16 April. This was confined to the question whether MZ had made the appropriate disclosure of receipt of a large dividend payment made by one of his companies, as he was required to do as both a public official and a taxpayer. He indicated that as a result of information received from Ukraine he believed that MZ had failed to declare the dividend of some US\$4 million.
10. The hearing before HHJ Kramer QC was short, some 19 minutes in length, and oral evidence was limited to the question of the dividend disclosure relied on as evidence of the defendant's dishonesty. The substance of the case put in the witness statement and supporting skeleton argument was that there were reasonable grounds to believe that the defendant had engaged in criminal conduct in Ukraine and the funds in the BNP account were believed to be the proceeds of such criminal conduct because:-

- i. His wealth increased when he held public office and the only apparent source of his private wealth was from the exploitation of mineral licences awarded to his companies when he held public office.
  - ii. Although no specific offence of bribery or fraud could be identified at this early stage in the investigation, the potential for conflict of interest 'gives rise to a clear inference of a wilful and dishonest exploitation of a direct conflict of interest by a man holding an important public office such as to amount to an abuse of the public's trust in him'. Such conduct would, if committed in this jurisdiction, amount to an offence of misconduct in public office.
  - iii. The complicated pattern of off-shore holding companies established when he was still a serving Minister was effectively to conceal his beneficial ownership of Burisma and the economically active enterprises of which it was the holding company. The court could draw the inference of dishonest motive for the corporate structure.
  - iv. Scrutiny of the statements of the BNP accounts shows very limited activity and this is an indicator that their primary purpose was to facilitate the transfer of criminal property.
  - v. The recent attempt to transfer the assets was troubling evidence of an attempt to avoid sanctions and freezing orders by transferring the funds to the companies' accounts in Cyprus.
11. Since the order was made, evidence has been filed on behalf of the defendant in the form of two witness statements from Mr Kicha with numerous exhibits seeking to explain the origins of the defendant's wealth, the regulatory environment in Ukraine at the time when the defendant held office, the history of the corporate structure of the defendant's companies, the nature of the business deals that resulted in the payments into the BNP accounts, the reasons why the accounts were opened in the first place and the information required by and provided to BNP to ensure regulatory compliance. These include a report from a well known international investigation agency Kress Associates into MZ's business history prepared for BNP and a memorandum on relevant provisions of Ukraine law at the time prepared by reputable lawyers for these proceedings. He states that BNP had asked for closure of the accounts because the reason for applying to the bank in April 2013 to open the accounts in the first place, namely a proposed placement, was no longer going to proceed.
12. Mr Kicha also observed that Mr Gould's second witness statement proceeded on a false basis about disclosure of dividend payments. As a state officer MZ had declared income of approximately US \$2million in 2010 and 2011, \$4.8 million in 2012, and had declared on 24 February 2014 (within the relevant accounting period) the sum of \$3 million received in late November 2013. He suggested that Mr Gould had erroneously looked to the date of the resolution awarding the

payment of a dividend on 28 December 2012 rather the date when instructions were given by Mr Kicha for the payment to be made even though this instruction was in Mr Gould's possession and had been exhibited in his first witness statement (Vol 2/ 240, RG1/73). The date of payment and the February declaration was subsequently accepted by the applicant. There has been no evidence contradicting Mr Kicha's account that earlier declarations had been made.

13. The defendant also relied on the witness statement of Mr Boiko a defence lawyer and current chair of the Bar Council of Kiev and Professor Sakwa. Mr Boiko gives evidence both of the procedural requirements of Ukrainian criminal law and the fact that although the present authorities in Ukraine have been anxious to investigate possible criminal wrongdoing by the defendant, and a number of different investigations connected with him have been opened, he has never been named as a suspect in any criminal investigation. An embezzlement inquiry (investigation 155) into a procurement fraud in his department concerned others and related to events after MZ had left that office.
14. The Ukrainian authorities had written on a number of occasions to the applicant giving information about inquiries that had been opened but had not progressed to the point where evidence of wrongdoing had been discovered such as to require the prosecutor to inform MZ that he was a suspect. Shortly before the hearing of this application a letter dated 2 December 2014 was received from the General Prosecutor of Ukraine stating that in respect of five separately identified investigations opened between 19 December 2012 and 6 August 2014 ( including 155 and another investigation 181) 'allegation notification was not delivered to MZ due to absence of grounds for criminal prosecution.' It may be the case, as Mr Gould points out in his second witness statement, that search warrants were executed at his premises in April and May 2014 but that does not mean that there was evidence to make him a suspect.
15. Professor Sakwa gives some background evidence about the susceptibility of the prosecution authorities in Ukraine to political pressure as regimes change. Given the state of the evidence that no investigations of criminal conduct against the defendant in Ukraine have resulted in his being named as a suspect some ten months after the change of regime, this evidence is only of very limited assistance.
16. The defendant's solicitors have pressed for full disclosure of relevant data that might undermine the applicant's case or support that of the defendant emerging from the product of the first two orders that were available before the hearing on 16 April. Mr Gould disputed that there was anything further to be disclosed in his second witness statement of 29 August 2013 (at [9] to [12]) and specifically addressed this in his third witness statement of 3 October 2014, where he again disputed that there was any relevant disclosure to be made from this material. This remained the position of the applicant in the written submissions lodged and when Mr Kinnear QC addressed me in response to the defendant's application on 4 December the second day of this three day hearing.

17. However, on 5 December, following overnight inquiries and a request for a short adjournment to consider matters, Mr Kinnear concluded that on reviewing the contents of the first production order, there were a small number of documents that should have been disclosed. Disclosure was now being made. In the interest of transparency the whole of the material produced would be supplied to the defendant's team. As a result of these developments the applicant would not now oppose the defendant's application to set aside HHJ Kramer's order but it was nevertheless contended that I should make a fresh order for restraint in the light of all the evidence.
18. As the defendant had not had the opportunity to examine the relevance of the three volumes of material supplied on 5 December (some of which was duplicated material) a time-table was set for further written submissions to be lodged before the end of last term. I have received those submissions and carefully considered them. I conclude that there is no need for this hearing to be reconvened for further oral submissions, nor is there any need for me to be provided with bundles of the newly disclosed material. It is sufficient to note that of the 17 documents identified and described by the defendant in a schedule dated 11 December, the applicant now accepts that 10 should have been disclosed and that at least two mis-statements of fact were made by Mr Gould in his third witness statement, about the documents the applicant had in its possession.

#### The Law

19. The parties are in broad agreement as to the governing law with respect to the following propositions:
- i. The court has the discretion to make a restraining order if the statutory conditions are met (s.41 (1) of the Act).
  - ii. As the Director of SFO had authorised the commencement of a money laundering investigation in March 2014 the relevant statutory conditions are those set out in s.40((2)(b) of the Act namely 'there is reasonable cause to believe that the offender has benefitted from his criminal conduct'.
  - iii. A necessary aspect of this test, in present circumstances, is whether there is reasonable cause to believe that the defendant has committed any criminal conduct in the first place.
  - iv. Reasonable cause to believe that the defendant has committed a crime requires a higher threshold than a reasonable cause to suspect that he may have done, but at an early stage in an investigation there will be many uncertainties, which do not prevent the existence of a reasonable cause to believe (Windsor [2011] 2 Cr App R 7 per Hooper LJ at [53], [78], and [87]).
  - v. The criminal conduct concerned does not have to be an offence punishable in Ukraine (s.76 (1) and 340 (2) of the Act).

- vi. It is not necessary to establish that money that is being handled is criminal property by identifying that it is the product of a specific criminal offence; it suffices if all the circumstances give rise to an irresistible inference that it could only be derived from crime (Anwoir [2008] 2 Cr App R 36 at [21]).
- vii. An inference that a crime has been committed is only irresistible if it is the only reasonable inference that can be drawn from the evidence as a whole and all inferences consistent with the absence of criminality can be excluded. However, this is the test to be applied by the fact finder at the conclusion of the trial process after all the material evidence has been tested (Jabbar [2006] EWCA Crim 2694 per Moses LJ at [21]).
20. The way that the applicant advanced his case on 16 April 2014 and the primary way in which the case was developed in the written and oral submissions for the December hearing, was that the defendant's assets were the product of criminal wrongdoing when he held public office, and that in the absence of any specific evidence of corruption or fraud, such wrongdoing is reflected in the common law offence of misconduct in public office. The elements of that offence have been described in Attorney General's Reference No 3 of 2003 [2004] 2 Cr App R 23. So far as is material to present circumstances, the prosecution must show that a public officer without reasonable excuse 'wilfully neglects to perform his duty or misconducts himself to such a degree to amount to an abuse of the public's trust in the office holder.'
21. I accept Mr Kinnear's submission that for present purposes it matters not whether Ukraine has an equivalent offence of misconduct in public office. However, in order to show either misconduct or a failure to perform a duty and in order to evaluate whether any failure is sufficiently grave to amount to an abuse of trust, there needs to be some breach by the defendant of a local obligation that is imposed with respect to the office. That means that provisions of Ukrainian law and the conditions of public service relating to conflicts of interests are relevant as a matter of fact. In my judgment, it is not sufficient that MZ was the owner of the shares in a holding company that owned oil and gas production companies and related companies that were commercially active when he held office, unless there was some local requirement to divest himself of all such shareholdings during the period of office.
22. In support of the submission that, whatever their origin, the assets in the account were the proceeds of money-laundering, the applicant points to the complex nature of the commercial transactions described by Mr Kicha, the origin of the venture that is said to be the source of the funds paid into the accounts, the use of offshore companies, the evidential gaps in the documentation produced by him, the absence of any evidence from the defendant himself and the other participants in the joint venture.
23. I accept that as a matter of law appropriate adverse inferences may be drawn from a defendant's failure to explain apparently incriminating evidence consistent with money laundering activity. Whether it is right to draw such an inference depends

on all the surrounding circumstances, the evidential strength of the applicant's secondary submission, and whether there is good reason to doubt what Mr Kicha has said on behalf of the defendant and the interested parties.

24. If there is jurisdiction to make a restraint order, there is a clear legislative steer as to how discretion should be exercised. The application is made in the public interest in order to preserve from dissipation, assets that may be confiscated upon conviction or other order: see s. 69 (2) of the Act and the observations of the court in Jennings v CPS [2005] EWCA Civ 746 [2006] 1 WLR 182 at [56] dealing with the provisions of the predecessor legislation.
25. In this case, the continued existence of an investigation is dependent on the restraint order being continued. If the assets are transferred to the companies' accounts in Cyprus, it is improbable that resources will continue to be devoted to the question of whether they were the proceeds of money laundering. Further, by contrast with most of the cases cited by the parties, by the time of the hearing the British authorities had not brought any charge against anyone concerned with the funds in the BNP banks. It was far from clear that there would be such a charge or that there would be confiscation proceedings related to the accounts.
26. It is clear that a public authority seeking a restraint order without notice has to comply with a duty of candour that goes beyond an obligation not to misrepresent. As Hughes LJ put it in Re Stanford International Bank Ltd [2010] EWCA Civ 137; [2010] 3 WLR 941 at [191]:

'It consists in a duty to consider what any interested person would, if present, wish to adduce by way of fact, or to say in answer to the application, and to place that material before the judge. That duty applies to an applicant for a restraint order under POCA in exactly the same way as to any other applicant for an order without notice. Even in relatively small value cases, the potential of a restraint order to disrupt other commercial or personal dealings is considerable. The prosecutor may believe that the applicant is a criminal and he may turn out to be right, but that has yet to be proved. An application for a restraint order is emphatically not a routine matter of form with the expectation that it will routinely be granted. The fact that the initial application is likely to be forced into a busy list, with very limited time for the judge to deal with it, is yet a further reason for the obligation of disclosure to be taken very seriously. In effect a prosecutor seeking an *ex parte* order must put on his defence hat and ask himself what, if he were representing the defendant or third party with a relevant interest he would be saying to the judge, and having answered that questions, that is what he must tell the judge'.

27. If there has been a material failure of disclosure, when considering whether the order should be discharged, the question is not whether the order was obtained as a result of the misrepresentation or non-disclosure but whether the information was material to be taken into account in the exercise of the discretion to grant the relief sought, Stanford (above) per Sir Andrew Morritt C at [83].
28. A failure of disclosure may result in an award of costs and/or a setting aside of the order made without notice, but it may still be in the public interest to make a

fresh order in the light of all the evidence now available to the court and the relevant issues: see Stanford at [97] to [101]; [198] to [202].

The contentions of the parties

29. I do not propose to lengthen this judgment with a detailed consideration of the evidence relating to MZ's period in office, the grant of exploration and production licences, and the regime then applicable in the Ukraine to prevent conflicts of interest. I have had the benefit of skeleton arguments and in addition there has been a contemporaneous live note record kept of the oral submissions made in these proceedings.

30. In essence Mr Keith submits:

- i. It is peculiar that the Director of the SFO decided to open a domestic money laundering investigation without any clear evidence to suggest that the assets in the accounts were criminal property or criminal property derived from offences committed when MZ held public office. If there had been any basis for such a contention there could have been an external request from Ukraine using the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005. There has never been such a request.
- ii. Instead there has been political contact between Ukraine and the United Kingdom since the change of regime in February 2014. There have been high profile commitments on the English side to assist Ukraine to recover stolen assets and some political expressions of support on the Ukrainian side for the fact that the English authorities have taken the lead with respect to MZ.
- iii. It was wholly misleading of Mr Gould in his first witness statement at [12] to indicate that, although MZ has no known criminal convictions against him, according to a letter from the head of the Main Investigation Department in the Ministry of the Interior of Ukraine dated 13 March 2014 (addressed to the National Crime Agency liaison officer in Kiev) investigation 462 opened in December 2013 and 'there are sufficient grounds to suggest that MZ had been receiving his share of money for participating in law violations'. The subsequent disclaimer that as this was not the basis of the application as it was not a formal request for assistance did not cure its prejudicial effect.
- iv. The true position was that any investigation into embezzlement was against other officials in MZ's former department and he appeared to have been interviewed as a witness. The subsequent witness statement of Mr Boiko and the 2 December letter from the state prosecutor's office written for the purposes of the present hearing, indicate that he was never named as a suspect for embezzlement or indeed any other offence, let alone one related to

the exercise of improper influence in the grant of exploration and production licences.

- v. It was equally misleading for the applicant to rely on Mr Gould's assertion that there were well publicised allegations of abuse when the public allegation was that of a political opponent in 2006, who was himself subsequently convicted of offences when the regime changed. There was no evidence at all to suggest that the oil production licences were improperly obtained. Indeed the decision of the Ukrainian courts given when MZ was out of power indicate that there was no perceived irregularity with the way the licences had been granted before 2010. It also appeared that production licenses were granted from 2005 onwards when he was out of power.
- vi. If Mr Gould had properly investigated the requirements of Ukrainian law before relying on the allegations of corruption, he should have been aware that the change of the tendering system was not a decision taken by MZ himself but a change promoted before he took office. This change was not evidence of corruption but a move to liberalise the market. There was a system of checks and requirements before a licence could be issued and the decision was taken by people other than MZ himself, as the detailed analysis of Ukrainian law prepared by a Ukraine branch of a US law firm, Chadbourne and Parke, dated 17 September 2014 that was attached to Mr Kicha's second witness statement of 23 October 2014 confirmed.
- vii. The suggestion in Mr Gould's first witness statement that the acquisition of MZ's wealth coincided with his holding of political office was untrue, as he could (or should) have known if he had properly researched the topic before making the restraint application. A number of the documents provided to BNP Paribas in their regulatory compliance/Know Your Client investigation between April 2103 and June 2013, before the accounts were opened, showed the pre-2003 business history of the defendant indicating that he had been active in a company called Infox since September 1991. Notable in this respect was a Kroll Associates report, dated 3 August 2013 that had been commissioned by BNP's clients and supplied to the bank as part of the intelligence gathering process. This document was disclosed by Mr Gould in his second witness statement 29 August as something that had been disclosed in the third production order effected in May 2013, but it was surprising that core documents from the Know Your Client process were not sought and obtained in the earlier production orders or specially sought before an inaccurate history was presented to the judge.
- viii. Mr Gould's first witness statement gave the impression that it was suspicious that the accounts showed no commercial activity of the

sort that would be expected with an active oil exploration company. The inference was thereby given that the only reason for the accounts being opened was to launder money from tainted sources. In fact the BNP disclosure material should have revealed that the accounts were opened in the context of a private placement to increase the capital base of the companies and the corporate structure was such that these accounts were related simply to the overall holding companies and not the business operational accounts.

- ix. This last point has been supported by the schedule of documents on which the defendant relies arising from 5 December 2014 disclosure. Most of the seven documents, where concessions of disclosure have not been made by the applicant, related to the original reasons for the account being opened and the initial satisfaction of the bank with the results of its due diligence inquiries.
- x. Equally it was wrong for Mr Gould (and also counsel relying on him in the without notice application), to give weight to the request to withdraw the funds from the companies' accounts in London and transfer them to their accounts in Cyprus as evidence of risk of dissipation. The closure of the London accounts had been requested by the bank from October 2013 as would have been known by the time of the without notice application.
- xi. There was clear and damaging misinformation provided to the judge with respect to a failure to declare a dividend when received. In addition it is now accepted that there was a failure to disclose documents that were in the possession of the applicant at the time of the without notice application and which should have been disclosed.
- xii. Taking these matters cumulatively, the misrepresentations and failure to disclose was sufficiently serious to set aside the judge's order and not make a fresh one. The applicant should not be able to rely on its significant failures to now seek an order on a fundamentally changed case when it is recognised that their primary case has collapsed.
- xiii. If the court nevertheless evaluates today whether there is a good case for restraint, on any basis the evidence of Mr Kicha as to the good faith of the business transactions resulting in the payment in and payment out of the funds in the account, is un-contradicted and not undermined by anything the applicant has put forward.
- xiv. In so far as the applicant relies on documentary gaps in Mr Kicha's evidence, this relates largely to documents from third parties and in any event does not establish a reasonable belief that the proceeds of

the account were criminal property the subject of money laundering.

31. By contrast Mr Kinnear contends that:

- i. The failures of disclosure were innocent errors of judgment at an early stage of a complex investigation. Mr Gould had drawn attention to factors favourable to the defence in his first witness statement. There was no reason to doubt the good faith of the applicant in seeking the restraint order in the first place and its replacement with a fresh order today.
- ii. The fact remains that MZ held political office in a former regime now notorious for corruption and abuse of power, as the defendant's own expert Professor Sakwa explains.
- iii. MZ has not made a witness statement detailing how he came by his significant wealth or the nature of his dealings with those who are connected to the funds in the BNP accounts, or explaining the source of the funds paid into the accounts. It is not sufficient for him to rely on the evidence of Mr Kicha and that evidence leaves unanswered questions. It is a reasonable inference that it involved criminality of one sort or another.
- iv. The BNP material dealing with the proposed public to private placement was overtaken by subsequent events when the possibility of a venture was brought to an end. In any event, it is clear that by February 2014 a senior official in the bank was concluding that the relationship should terminate because of concerns about money laundering.
- v. The conclusion that disclosure of the fact that the bank wanted to close the accounts may be prejudicial to the defendant was an exercise of judgment made in good faith.
- vi. It is not sufficient to establish reasonable grounds for belief of money laundering that off-shore companies are used in complex transactions. However, the level of complexity here and the involvement of Mr Kurchenko in a joint venture giving rise to the funds in the accounts, suffice, when combined with the other factors, to substantiate reasonable grounds for a belief that the funds represent criminal property.
- vii. In these circumstances the statutory steer suggests that discretion should still be exercised to restrain the proceeds pending the completion of investigations and the outcome of any possible trial.

Conclusions:

*(1) Non-disclosure*

32. In giving directions for the present hearing Phillips J rejected the applicant's application for cross-examination of Mr Kicha. His reasons for doing so were brief but were in essence that such an application is not a detailed examination of the facts but the exercise of a discretion on the principles set out in the legal authorities above. Either the applicant has established a sufficient basis for the grant of relief on the documents or it has not.
33. At an earlier stage of the proceedings, when setting the timetable on 27 June as to when the applicant should file evidence by way of response, he also said this:
- 'It is not acceptable that this sort of order is obtained unless the SFO has already sufficient evidence to satisfy the court that there is the relevant reasonable cause present and it is not right there should be, effectively, an initial order followed by a period of investigation'.
34. There is common ground between the parties that there has been a significant failure of disclosure of relevant documents resulting from the BNP response to the first two production orders. On any view, 10 of the 17 documents in the defendant's supplementary schedule should have been disclosed. Summarily reviewing the descriptions of the seven documents where the applicant SFO has not conceded that disclosure should have been made, it would appear to me that each was relevant to the exercise of the judge's discretion within the Stanford criteria identified above. The judge was left with the impression that the only reason for the accounts to be opened was money laundering, whereas evidence about the companies' reasons for opening the accounts, the information they provided to the due diligence inquiries, and the bank's initial satisfaction with answers in response to its information gathering before opening the accounts, would all be evidence that a defendant, if present at the hearing, would have wanted to have been before the judge.
35. Taking all seventeen documents together, I am satisfied that a serious error of judgment was made by the applicant's team about what should have been put before Judge Kramer and in response to the defendant's solicitors repeated requests for the product of the initial production orders.
36. I am puzzled by the submission that Mr Gould thought it would be prejudicial to the defendant to inform the judge that BNP wanted the accounts closed. It seems to me infinitely more prejudicial to identify as the 'most troubling aspect' (as counsel's skeleton argument did at [15]) the fact of Mr Kicha's request for BNP to transfer the assets of \$23 million from the BNP account to the companies' accounts in Cyprus when that was what BNP had wanted the companies to do and had set a time table for so doing. Further, on 29 August 2014 Mr Gould exhibited an BNP email dated 11 February 2014 where there is a reference to the deal that is the source of the funds and where it said "it looks" obvious that the deal itself is probably a mixture of money laundering and corruption' which might be the kind of

prejudice he had in mind, but this did not result in more disclosure of the product of the first two orders.

37. Precisely what led the bank to seek to terminate the relationship established in June 2013 is unclear. In October 2013 it may have been simply that the commercial venture that had been proposed was not going to take place, or it may have been other concerns not communicated to the clients. The bank's concerns may have been the starting point of an inquiry into the nature of the assets in the accounts, but this does not amount to a reasonable belief that the assets are criminal proceeds either from some corrupt activity of the defendant or an attempt to money launder the dubious assets of others.
38. In addition to the failure to disclose material documents forming part of the banking relationship with BNP, there was a positive inaccurate (false without any connotation of knowingly and dishonestly false) information about the failure to disclose a dividend in an accounting year before it had been paid. Whilst this was only a small point, it went directly to the credibility and honesty of the defendant and was in fact the only issue ventilated when Mr Gould gave short evidence in a very short hearing. It must have played a role in the judge's decision.

(2) *Criminal property from corruption in office*

39. In the light of the acceptance by Mr Kinnear that the judge's order made without notice should be set aside for material non-disclosure, it seems to me that I do not have to engage in an assessment of whether the order would have been made if no misrepresentation had occurred and the fuller picture set out in the disclosure documents had been provided. The evidential picture before me is fundamentally different to that before him.
40. I accept Mr Keith's submission that despite ample opportunity to do so, nothing has been produced by Mr Gould to undermine the reliability of Mr Kicha's account of the business history and transactions or Chadbourn and Parke's account of the applicable Ukrainian law. However this material along with Mr Boiko's account of the state of the investigations being conducted in the Ukraine undermines most of the six points that I have summarised as the evidential basis for the earlier application at [10] above.
41. I accept that very large sums of money came into the BNP accounts, US \$35 million, of which \$23 million remains. I accept that the defendant held public office in a regime that is presently considered corrupt. I accept that Ukrainian domestic arrangements to prevent conflict of influence by public officials who were already wealthy businessmen and had substantial shareholdings in companies involved in the extractive industries might either be considered inadequate or inadequately enforced. I accept that there is always the possibility that, despite the existence of safeguards as to who makes decision, undue influence can be brought to bear.
42. However, none of these general points establishes reasonable grounds for a belief that his assets were unlawfully acquired as a result of misconduct in public office. It is plain from the business history now available that MZ was already a

businessman of some 12 years standing before he held office. He was declaring income of some US \$2 million throughout his second period of office. Oil and gas industries can yield very large sums of money and according to the prospectus material in the possession of the BNP, the Burisma group of companies is the second largest gas producer in Ukraine at a time when demand for gas was rising, and its total worth is now very great.

43. Mr Kinnear points out that the Kroll Associates report suggests that a career in politics was chosen by MZ around 2002 precisely to develop further his business. I do not read that as an admission of corruption, nor is it likely that BNP did so when agreeing to open the accounts after reading this report. The passage is consistent with a view that unless the regulatory regime was opened up and political changes made to encourage market economy, the role of the private sector and opportunities for economic development were limited.

44. I accordingly conclude that the primary way in which the applicant puts and has put its case, does not support the making of a further restraint order.

*(3) Criminal property by money laundering the assets of others*

45. I now turn to Mr Kinnear's second submission, namely that analysis of the details of the transactions provided by Mr Kicha in his June witness statement itself leads to the conclusion that the funds that went into the accounts were the product of money laundering. If so, whatever the source of MZ's wealth may have been, in 2013 he was engaging in transactions that had no genuine commercial purpose but were designed to transfer money that was in some way tainted out of Ukraine, possibly in anticipation of pending political turmoil in that country.

46. For this point to be explored, it is necessary to summarise some of the transactions on which the applicant founds this submission. I am conscious that Mr Keith's primary response to this second limb is that the court should not consider making a fresh restraint at all giving the misrepresentations, the failure to disclose and the changes in the way the applicant puts its case.

47. Mr Kicha's account of the source of the US \$35m that was placed in the accounts is as follows:

- i. MZ owned property assets of parcels of land outside Kiev. These were unrelated to oil and gas industry. They were held through a company called Chartlux Resources Inc and its subsidiary TOV Kam that was founded on 1 August 2003. In September 2013 these assets were valued at US \$46.34 million.
- ii. A Latvian businessman called Andrej Kiselovs who had extensive experience in real estate in Ukraine was interested in developing the land in a joint venture with MZ and believed that they could be sold for more than their current valuation.

- iii. There was an agreement to set up a joint venture entity to acquire and hold the assets. This was Cipriato Alliance Limited, a company registered in Belize. MZ and Mr Kiselovs both held a 50 per cent stake in Cipriato. Kiselovs was to invest US\$ 17 million in the venture and MZ \$18 million.
- iv. TOV Kam did not sell the assets direct to Cipriato, but a complex series of transactions ensued, whereby TOV Kam was sold to a special purpose vehicle called Seanon Limited, Seanon sold it to Brociti and Brociti sold it to Cipriato for \$35 million. MZ was the ultimate beneficial owner of Seanon as well as Tov Kam and Brociti. Seanon was sold to Brociti at a nominal value because this was a transfer between companies all owned by MZ.
- v. The ultimate sale agreement between Brociti and Cipriato dated 11 December 2013 was provided (see AK8 vol 2/442). The position described above is rendered more complex by the existence of various loans.
- vi. In due course, the sums representing the \$35m were paid into the accounts in six instalments between 19 December and 21 January 2014.
48. Thus, it is said, the payments were the product of a good faith sale of assets to a joint venture for value. What is not known, possibly because Mr Kicha cannot say and MZ has not made a statement, is:-
- i. Why an asset valued at \$46.3 million was sold to the joint venture for \$35 million?
  - ii. Why MZ thought it appropriate that Mr Kiselovs should acquire 50% of the value of this asset for US \$17 million?
  - iii. What the commercial reasons were to sell the assets through the chain described above?
  - iv. Why the purchase price was paid into the BNP account at a time when the placement proposal was at an end and BNP was suggesting that the account should be closed?
49. Mr Kicha then turns to how MZ raised his share of the funds needed by Cipriato to purchase Seanon. He explains that this was achieved by the sale of an oil terminal and tank farm in Kherson that was owned by him through a British Virgin Islands registered company under his control called Kisaliano Holdings Limited. It is stated that US \$20.03 million was transferred by Kisaliano into Cipriato's bank account in Latvia. A further point is made that that payment did not arouse any regulatory concerns by the bank, although the footnote in the statement refers to regulatory compliance in Estonia not Latvia. The sum paid in was more than the \$18 million that was due to be MZ's share of the investment as

the balance was a loan to Mr Kiselovs to help him raise his share of the joint venture.

50. Mr Kicha then explains more about Kisaliano and the sale of the oil terminal. He states that the property in question was owned by MZ's operating company Infox from 2002 having had an earlier association with it when an opportunity arose to acquire it when its original owner became bankrupt. The asset then went through various holding companies until in about September 2013 it was transferred to Vestorgia Holdings Limited, a company registered in Cyprus on 22 March 2012.
51. Mr Kicha further explains that in mid 2013, MZ had decided to sell the asset to Rosseu Business Group Ltd. Rosseu was understood to be a subsidiary company of the Vetek Group, which is owned by Sergey Kurchenko.
52. Kisaliano Holdings was therefore created as a special purpose vehicle in July 2013 in the BVI in contemplation of the sale of the assets to Rosseu through Vestorgia. The sale agreement was signed on 9 October 2013 whereby Kisaliano sold 1000 shares in Vestorgia to Rosseu for the sum of US\$32 million. Payment was made between October and 8 November 2013, of \$30.950, and a further \$1million was held in an escrow account.
53. The \$20.3 million paid into Cipriato came from this \$30.95 million. The Cipriato monies (to which Mr Kiselovs added some \$15m of his own) were the source of the payments into the accounts that are the subject of the restraint order.
54. In his second witness statement, Mr Gould comments that, far from providing evidence tending to show that the funds were legitimately derived from the sale of assets, the explanation supports the applicant's case that they are the product of money laundering. He points out that one high risk money laundering indicator known to law enforcement and the financial sector is corporate entities that are based in one jurisdiction and operate in another. He suggests that the sequence of transfers of assets through different companies is suspicious in itself and indicative of attempts to disguise the nature of the transactions.
55. He then makes the point that Mr Kicha's June statement made no comment on the current status of Mr Kurchenko. He explains that on 20 March 2014 it was reported in the global media sources that Mr Kurchenko was the subject of an arrest warrant in relation to misappropriation, embezzlement or obtaining state funds through abuse. Inquiries were still pending with the Ukrainian authorities as to the nature of these charges. He fled Ukraine after the fall of the previous government. His present whereabouts are unknown. He is the subject of a Treasury Sanctions notice dated 6 March 2014 freezing his assets pursuant to the EU Regulation.
56. By way of preamble, Mr Gould also commented on the sale of a subsidiary of Brociti called Egeli Services to Audrinura Trade LLP Limited on 27 December 2012. The sale price was US \$6 million but the funds were not paid until 8 July 2013. Egeli was the Cypriot corporate vehicle for the acquisition earlier in 2012 of two Ukrainian companies supplying specialist gas drilling products. Audrinura is registered in the UK but the annual returns for the accounting period ending 30

September 2013 made no reference to the acquisition of Egeli and its net profit was recorded as merely £243. All this is said to be consistent with money laundering, the creation of a complex series of transactions where there is little evidence of genuine trading or proper accounting of high value transactions.

57. Mr Kicha's response to the points about Egeli is, first, this was not raised in the first witness statement when it could have been; second the assets owned by Egeli are genuine assets and the sale was properly recorded in Brociti's financial statements. Third, he volunteers the fact that Audrinura is a company owned by Mr Kiselovs (who of course is the partner of MZ in the Cipriato joint venture). Fourth, he says if the irregularity is that Audrinura did not record the purchase in its trading account then that is a matter for Mr Kiselovs to comment on, not the defendant. It does nothing to suggest that the Cipriato monies are criminal property.
58. In his submissions by way of reply to the points developed by Mr Kinnear orally on this part of [46] above:-
- i. Each of the transactions under consideration resulted in real assets being exchanged for real cash, with ownership going one way and cash the other.
  - ii. Each was properly recorded in the relevant accounts that, in turn, were audited and accepted as a true statement by various professionals in a number of jurisdictions.
  - iii. The underlying transactions were completed in the autumn of 2013 before the dramatic events of February 2014 that led to change of regime and any need to transfer ill gotten gains out of the country.
  - iv. The fact that Mr Kurchenko is now the subject of a freezing order does not invalidate or taint business transactions conducted with him some six months previously.
  - v. It was Mr Kicha who disclosed the names of Kiselovs and Kurchenko as the real individuals behind the corporate entities. He was the person running the Brociti bank accounts and was able to provide credible evidence of the transactions under scrutiny.
  - vi. Nothing is known to the discredit of Mr Kiselovs save possibly a failure to lodge accurate accounts but could this not make the sums he paid into Cipriato tainted.
  - vii. The information that Mr Kurchenko is now under investigation for criminal activity is too vague and evidentially unsupported to give rise to any proper basis for concluding that the purchase price for the oil terminal was criminal property that has now come into the BNP accounts.

(4) *Decision*

59. I am required to perform an overall exercise of discretion as to whether relief should now be granted afresh having regard to the fact that the without notice order is to be set aside, there was material non disclosure, and the principal basis on which it was obtained does not justify the conclusion that there are reasonable grounds to believe that MZ was engaged in criminal conduct relating to his companies when he held office. The burden is on the applicant to persuade me that that such an order should be granted, evaluating all the material as it now stands
60. The non disclosure of the 10 or 17 documents identified in the schedule was not a momentary or accidental slip. It was an exercise of judgment that is now accepted to be flawed having regard to the issues or criteria. It may be that the misrepresentation as to the dividend disclosure (noted at [38] above) was a slip, as it required detailed reading of the accounts for the point to be noted and there was undoubtedly pressure of time in preparing the first statement.
61. Despite the number of documents in question, the concerns of Mr Keith at the nature of the communications between Ukraine and the SFO and the inappropriate reliance by Mr Gould in his first witness statement on information and belief from sources whose identity is not revealed, I do not conclude that the errors of judgment were such to suggest that he was not acting in good faith.
62. As a result of these matters, the hearing before HHJ Kramer was unfair and the order made is set aside. That does not prevent the making of a fresh order as was in fact done in the case of Stanford. I do not consider that the non-disclosure and false representations are of such serious misconduct as to prevent a fresh order being made, having regard to the guidance in Jennings. An adverse costs order, relating to the proceedings will often suffice to address a failure of disclosure that falls below this threshold.
63. However, eight months have passed since the original order. I have concluded that the basis for any fresh order rests on the suspicious inferences arising from the details of the transactions disclosed with particularity by Mr Kicha.
64. This is a different case to that advanced in April although, I accept, not totally disconnected from it. Where, on a without notice application, it is submitted that the known circumstances give rise to the reasonable inference of money laundering, and the defendant then provides a detailed account by way of response, the applicant's critical comments on the evidence produced by the defendant are part of the continuum of the inquiry. This is not a case of delaying the hearing to permit some wholly extraneous fresh investigation to yield forensically probative fruit.
65. Nevertheless, the case now rests largely on the analysis of what has not been provided by Mr Kicha, whose credibility and reliability has not been undermined. The applicant's principal point is that we have not heard from MZ personally to explain more. The question for me is whether the SFO has presented such an

evidentially cogent case of reason to believe that the money in the accounts were the product of money laundering that the absence of a response from the defendant personally can assume evidential significance in the balance of factors.

66. I have given very anxious consideration to the written and oral submissions (the transcript of which I have reminded myself of) of the applicant on this aspect of the case. I recognise that the unexplained complexity of the transaction gives reasonable cause to suspect that something other than a simple commercial transaction may have been conducted here, but the case remains a matter of conjecture and suspicion with no or insufficient concrete data on which a clearly founded restraint application is made.
67. Whilst it is understandable why much should remain unclear and unsubstantiated at the first application, when only 25 days had passed since the institution of the investigation and a much shorter period since the receipt from the BNP in response to the disclosure orders, it is reasonable in the light of the passage of time to have expected a much clearer and evidentially supported account of why there had been a benefit for criminal conduct. There is nothing to suggest that Mr Kiselov's businesses are unlawful; there may well be real suspicion about Mr Kurchenko's activities given his current status and investigation but no specific evidence of illegality has been identified to suggest that any commercial transaction with him was tainted. The transactions appear to involve more corporate vehicles than might seem necessary, but Mr Kicha explains that special purpose vehicles are often the means of conducting large scale transactions in Ukraine and explains why foreign companies and bank accounts are preferred to domestic ones. There is nothing to suggest that any other inference than criminality is implausible.
68. A restraint order is a draconian measure. It should not be made on the basis of suspicion and conjecture alone. The court must critically examine the evidential foundation for such an application, whilst recognising that there will be omissions in the evidence presented by both parties. In substance I prefer Mr Keith's submissions on this issue summarised at [58] above. Taking all the above into account I have concluded that I should set aside the restraint order previously made without making a new one. The applicant's application for such an order accordingly fails.
69. On 8 January 2015, shortly before this draft judgment was finalised, I received a note from Mr Kinnear updating the court with respect to developments since the conclusion of the hearing. So far as material, they amounted to this:
- i. On 29 December 2014, in respect of investigation 4201400000805 (805), the Ukrainian prosecutor made a decision to give MZ notice that he was suspected of having committed a criminal offence of unlawful enrichment. He could not be served with this notice as his whereabouts were unknown.
  - ii. On 30 December 2014, at a without notice hearing in the same investigation, a judge of the Percherskyi District Court in Kyiv gave a decision on the prosecution's application to seize the funds

in the BNP accounts, inviting the initiation of a mutual assistance request to the English authorities so as to obtain their recovery.

70. These developments do not cause me to reopen this hearing or to revisit the provisional conclusions already reached.
71. Investigation 805 was referred to in a letter from the Prosecutor General's office (undated but in response to an inquiry of 14 November 2014). It was there stated that an investigation had been registered on 5 August 2014 into an allegation of unlawful enrichment as a result of receiving a large bribe and money laundering based on the information provided from the competent authorities in the United Kingdom in the course of their money laundering investigation started on 22 March 2014. It was further stated in this letter that:
- ‘the British investigation established the fact that (MZ being a Minister of Ecology and Natural Resources and being the beneficial owner of a non resident company that owned the subsidiary companies) illegally ensured the issuance of mineral resource use permits to the companies’.
- The evidence I have seen established nothing of the sort. Disregarding the possibility that the applicant has supplied to the Ukrainians probative data not supplied to this court, there is a real risk that the effect of the without notice order of 16 April has been misunderstood.
72. Further, investigation 805 was one of those mentioned in the 2 December 2014 letter which stated that allegation notification had not been delivered due to absence of grounds for criminal prosecution. It is not known why the authorities subsequently changed their minds 27 days later, or whether fresh evidence has arisen. Equally it is not known what persuaded the judge to make a seizure order without notice, when of course the assets were already subject to an existing UK order of which the defendant had notice.
73. In the event that this information suggests that a Ukrainian request for mutual assistance is about to be made on fresh evidence not considered in this application, that is a matter that can be addressed by a timetable for setting aside the existing order and to which the parties can give consideration following the handing down of this judgment.

HSGAC MAJORITY STAFF EXHIBIT

# Exhibit B

**LIST OF DOCUMENTS IN THE FILE**

1. History
2. Copy of the extract from the resolution of the Central Criminal Court of the Royal Courts of Equity dated 20.01.2015
3. Copy of the extract from the resolution of the Central Criminal Court of the Royal Courts of Equity dated 20.01.2015 (as amended dated 21.01.2015)
4. Individual license of the National Bank of Ukraine No. 109 dated 25.06.2012
5. Copy of a notification of making an investment abroad dated 26.07.2012
6. Individual license of the National Bank of Ukraine No. 199 dated 01.11.2012
7. Copy of a notification of making an investment abroad dated 12.11.2012
8. Copy of an expert's consulting opinion dated 25.12.2014
9. Copy of biography of M.V. Zlochevskiy
10. Copy of the certificate of the administration of the National Security and Defence Council of Ukraine No. 076 on awarding M.V. Zlochevskiy
11. Copy of the certificate of Association of Kyiv Radio Engineering Academy of Air Defence Forces Youth NGO on awarding M.V. Zlochevskiy
12. Copy of the certificate of the Ministry of Defence of Ukraine on awarding M.V. Zlochevskiy
13. Copy of the certificate of the State Customs Service of Ukraine on awarding M.V. Zlochevskiy
14. Copies of certificates of the Ministry of Internal Affairs of Ukraine on awarding M.V. Zlochevskiy
15. Copy of the certificate of the State Service of Geology and Mineral Resources of Ukraine on awarding M.V. Zlochevskiy
16. Copy of the certificate of the Minor Academy of Sciences – Ecology and Health and Safety on awarding M.V. Zlochevskiy
17. Copy of tax return of M.V. Zlochevskiy dated 25.04.2013
18. Copy of the bank order No. 1, dated 15.05.2013, on payment of personal income tax by M.V. Zlochevskiy
19. Copy of the bank order No. 1, dated 28.04.2014, on payment of personal income tax by M.V. Zlochevskiy
20. Copy of transparency return of M.V. Zlochevskiy for 2011, 2012 and 2013
21. Copies of university diplomas of M.V. Zlochevskiy
22. Copy of the certificate of incorporation of Burisma Holdings Limited dated 05.12.2014

23. Copy of the certificate of location of Brociti Investments Limited dated 28.04.2014
24. Copy of the certificate of location of Burisma Holdings Limited dated 05.12.2014
25. Copy of the certificate of shareholders of Brociti Investments Limited dated 28.04.2014
26. Copy of the certificate of shareholders of Burisma Holdings Limited dated 05.12.2014
27. Copy of the certificate of directors of Brociti Investments Limited dated 28.04.2014
28. Copy of the certificate of directors of Burisma Holdings Limited dated 05.12.2014
29. Certificate of shareholders of Brociti Investments Limited dated 20.08.2012 (1,000 shares)
30. Certificate of shareholders of Brociti Investments Limited dated 15.10.2012 (1,000,000 shares)
31. Email from BNP Paribas dated 25.06.2013 on accounts opening confirmation
32. Translation of email from BNP Paribas dated 25.06.2013 on accounts opening confirmation.
33. Letter from BNP Paribas on accounts opening confirmation
34. Translation of letter from BNP Paribas on accounts opening confirmation
35. Resolution of directors of Burisma Holdings Limited on opening the company account dated 13.05.2013
36. Translation of resolution of directors of Burisma Holdings Limited on opening the company account dated 13.05.2013
37. Resolution of the Director of Brociti Investments Limited on opening the company account dated 13.05.2013
38. Translation of resolution of the Director of Brociti Investments Limited on opening the company account dated 13.05.2013
39. Resolution of the directors of Burisma Holdings Limited on opening the company account with a signature sample of a person assigned to be the facility agent of the company dated 25.06.2013
40. Translation of resolution of the directors of Burisma Holdings Limited on opening the company account with a signature sample of a person assigned to be the facility agent of the company dated 25.06.2013
41. Resolution of the Director Brociti Investments Limited on opening the company account with a signature sample of a person assigned to be the facility agent of the company dated 25.06.2013
42. Translation of resolution of the Director Brociti Investments Limited on opening the company account with a signature sample of a person assigned to be the facility agent of the company dated 25.06.2013

43. Copy of a foreign passport of A.V. Kicha
44. Resolution on conclusion of share sales agreement between Brociti Investments Limited and Cipriato dated 11.12.2013
45. Translation of resolution on conclusion of share sales agreement between Brociti Investments Limited and Cipriato dated 11.12.2013
46. Share sales agreement between Brociti Investments Limited and Cipriato dated 11.12.2013
47. Translation of share sales agreement between Brociti Investments Limited and Cipriato dated 11.12.2013
48. Annex G. Financial reports of Seanon for the period from 04.07 until 31.10. 2013
49. Annex H. KAM LLC equity rights assessment report dated 28.10.2013
50. Annex I. Financial reports of KAM LLC dated 30.09.2013
51. Annex J. Turnover balance list of KAM LLC dated 30.09.2013
52. Annex K. Financial reports of Scientific Research Institute VECTOR PJSC dated 30.09.2013
53. Annex L. Turnover balance list of Scientific Research Institute VECTOR PJSC dated 30.09.2013
54. Annex M. Financial reports of KYIVSHCHYNA LLC dated 30.09.2013
55. Annex N. Turnover balance list of KYIVSHCHYNA LLC dated 30.09.2013
56. Certificate of share transfer of Seanon between Brociti Investments Limited and Cipriato
57. Translation of certificate of share transfer of Seanon between Brociti Investments Limited and Cipriato.
58. Assignment agreement dated 11.12.2013
59. Translation of assignment agreement dated 11.12.2013
60. Transaction scheme between Brociti Investments Limited and Cipriato
61. Copy of the power of attorney of Burisma Holdings Limited to A. Kicha
62. Copy of the power of attorney of Brociti Investments Limited to A. Kicha
63. Copy of the certificate of Brociti Investments Limited dated 09.01.2015
64. Copy of the certificate of Burisma Holdings Limited dated 09.01.2015
65. Copy of the certificate of Burisma Holdings Limited dated 09.01.2015
66. Copy of the bank account statement of Brociti Investments Limited for the period from 28.06.2013 until 03.02.2014
67. Copy of the bank account statement of Burisma Holdings Limited for the period from 28.06.2013 until 03.02.2014

68. Copy of the certificate No. 232/17-01/24227104810 of the State Tax Inspectorate in Shevchenko District of the Main Department of the State Fiscal Service of Ukraine in the City of Kyiv dated 30.06.2015
69. Copy of the certificate No. 305/17-01/2427104810 of the State Tax Inspectorate in Shevchenkivskyi District of the Main Department of the State Fiscal Service of Ukraine in the City of Kyiv dated 17.09.2015

**Correspondence with BNP Paribas on the share sales agreement between Brociti Investments Limited and Cipriato dated 11.12.2013, on dividend payment, account balance repayment to other company's account and notifications on accounts closing**

70. Email from A. Kicha to BNP Paribas (P. Koval) dated 17.12.2013 in the attachment with the Sales agreement dated 11.12.2013
71. Email from A. Kicha to BNP Paribas (Victoria Wright) on the request for dividend payment amounting to USD 10 million dated 24.02.2014 and SWIFT provision in the letter from BNP Paribas
72. Translation of the email from A. Kicha to BNP Paribas (Victoria Wright) on the request for dividend payment amounting to USD 10 million dated 24.02.2014 and SWIFT provision in the letter from BNP Paribas
73. Email from A. Kicha to BNP Paribas (Victoria Wright) on the request for dividend payment amounting to USD 9,899,900 dated 11.03.2014
74. Translation of email from A. Kicha to BNP Paribas (Victoria Wright) on the request for dividend payment amounting to USD 9,899,900 dated 11.03.2014
75. Email from A. Kicha to BNP Paribas (Victoria Wright) on the request for transferring the accounts balances dated 24.03.2014
76. Translation of the email from A. Kicha to BNP Paribas (Victoria Wright) on the request for transferring the accounts balances dated 24.03.2014
77. Email from A. Kicha to BNP Paribas (Victoria Wright) dated 25.03.2014
78. Translation of the email from A. Kicha to BNP Paribas (Victoria Wright) dated 25.03.2014
79. Email from A. Kicha to BNP Paribas dated 31.03.2014 on closing the accounts
80. Translation of the email from A. Kicha to BNP Paribas dated 31.03.2014 on closing the accounts
81. Email on behalf of Chadbourne & Parke to BNP Paribas dated 02.04.2014 on behalf of Chadbourne & Parke

82. Translation of the email on behalf of Chadbourne & Parke to BNP Paribas dated 02.04.2014
83. Email from BNP Paribas to Chadbourne & Parke dated 03.04.2014 with the attached official letter explaining why the bank cannot conduct the transactions
84. Translation of the email from BNP Paribas to Chadbourne & Parke dated 03.04.2014 with the attached official letter explaining why the bank cannot conduct the transactions

**Tax returns on the assets and income and certifying documents. Dividends**

85. Tax return on the assets and income for 2011
86. Tax return on the assets and income for 2012

**Payment under Loan Agreement amounting to USD 2.1 million**

87. BNP Paribas account statement
88. Loan Agreement dated 23.12.2013
89. Letter with payment instruction
90. Tax return on the assets and income for 2013

**Dividend payment for 2013**

91. Resolution on dividend payment amounting to USD 21 million dated 31.12.2013
92. Resolution dated 18.03.2014 on cancelling the resolution on dividend payment amounting to USD 21 million dated 31.12.2013
93. Letter with payment instruction for USD 10 million
94. Statement of LGT Bank on receipt of USD 10 million to the account dated 25.02.2014

**Closing LGT Bank account**

95. Statement of LGT Bank for the period from 01.01.2014 until 31.03.2014
96. Statement of LGT Bank for the period from 25.11.2013 until 24.04.2014
97. Statement of LGT Bank for the period from 01.04.2014 until 24.04.2014 and confirmation of closing the account in LGT Bank
98. Tax return on the assets and income for 2014 dated 25.04.2013
99. Certificate of authorities of M.V. Zlochevskyi as Deputy Secretary of the National Security and Defence Council of Ukraine
100. Copy of the expert's opinion of Kyiv Independent Court Expert Authority based on the results of forensic and economic examination No. 1090 dated 06.02.2015
101. Scientific opinion of Prof. P.P. Andrushko dated 12.02.2016

**From:** Kent, George P  
**Sent:** Fri, 13 Jan 2017 09:24:05 -0500  
**To:** [REDACTED]; Yovanovitch, Marie L; Smith, Christopher W  
**Subject:** Re: Herbst heads up - Atlantic Council to take Burisma money. (SBU)

While the Interfax headline on Martynenko proved inaccurate, the Burisma tale of getting a court to shut down a PGO investigation noted below would amount to nearly the same mechanism - rich connected businessman politician seeks to use the court/judge of unknown reputation to close an investigation of a business with a dodgy reputation.

Sent from my BlackBerry 10 smartphone.

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**From:** [REDACTED]  
**Sent:** Friday, January 13, 2017 4:12 PM  
**To:** Kent, George P; Yovanovitch, Marie L  
**Subject:** RE: Herbst heads up - Atlantic Council to take Burisma money. (SBU)

In case you didn't see Burisma's extensive press release yesterday. Matches arguments Karen made when she visited in December. This and Atlantic Council support are part of a full court press by Zlochevskyi to clear his name.

## **PRESS RELEASE: THE BURISMA GROUP COOPERATED WITH LAW ENFORCEMENT AGENCIES AND PAID IN FULL ALL OUTSTANDING FEES**

International Energy Group Burisma with assets in Ukraine announces that all legal proceedings and pending criminal allegations against its President Nikolay Zlochevskyi and operating companies of Burisma Group are fully closed.

The decision to fully close all pending legal proceedings and criminal allegations was the result of many months of full cooperation between the Office of the General Prosecutor and the legal team representing the Burisma Group. Further, the Burisma Group agreed that should an investigation determine that the Burisma Group owed outstanding taxes and/or fees that it would, without appeal, pay any and all outstanding taxes, fines and fees.

Following the Burisma Group's full cooperation and willingness to submit to a thorough investigation and its findings, the Pechersk District Court of Kiev obliged the Prosecutor General's Office of Ukraine to close the case against Mr. Zlochevskyi and remove him from the wanted list. As a result of the Court's decision the PGO fulfilled the relevant court order. The Ukrainian court decision is fully consistent with the decision taken by the U.K. court on January 21, 2015 and expert's opinion based on the results of forensic and economic expertise, dated February 6, 2015. After considering Nikolay Zlocheskyi's activities in Ukraine from 2002 to 2014, the British court ruled in favor of Nikolay Zlochevskyi and obliged the UK Serious Fraud Office (the SFO) to pay the defendant's costs. Moreover, as a result of the investigation, Burisma agreed to pay UAH180 millions of tax liabilities.

Over the last two years alone, operating companies of Burisma Group, paid more than UAH 5 bln. in tax liabilities to the budgets of all levels. Burisma is one of the top taxpayers of Ukraine that demonstrates its commitment to social responsibility and compliance with the best international business practices. Independent Director of Burisma Aleksander Kwasniewski believes that this decision shows how far Ukraine has come in advancing democratic ideals, proving that politics does not affect court decisions.

"It is reassuring that the independent Ukrainian court managed to take the decision that is fully consistent with the decision made by the British court. For Ukraine, the decision on Nikolay Zlochevskiy and Ukraine's largest gas producer Burisma will be also instrumental in making the country energy sufficient, since it will allow Burisma to increase domestic gas production as well as payments to the state budget. Especially today, Ukraine should be united over projects enhancing its defense capabilities and political independence. The country has already paid a high price with the revolution and its aftermath," noted Independent Director of Burisma Aleksander Kwasniewski.

"The actions of the PGO and those of the Ukrainian court are clear evidence of Ukraine's commitment to the rule of law and due process – twin pillars of democracy," stressed former U.S. Deputy Assistant Attorney General Mr. John Buretta.

The President of Burisma Group Nikolay Zlochevskiy pointed out extensive cooperation with law enforcement agencies and judicial authorities of different countries.

"Since all legal proceedings against Burisma Group are closed, it will allow us to increase production volumes and the flow of foreign investments in Ukraine, consider attracting international companies in the country, fulfill social and investment responsibilities, as well as duly pay in full all required tax liabilities to the budget. This is a big step forward for Ukraine in general and Burisma Group, in particular," admitted Nikolay Zlochevskiy.

**Official**

**UNCLASSIFIED**

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**From:** Kent, George P

**Sent:** Friday, January 13, 2017 4:04 PM

**To:** Yovanovitch, Marie L; [REDACTED]

**Subject:** Herbst heads up - Atlantic Council to take Burisma money. (SBU)

FYI.

The Blue Star duo, Karen and Sally, are on the Atlantic Council roster, and are the probable pushers of this.

John had come to the old DCR on a trip last fall (before I moved) and talked thru the whole Burisma/Zlochevsky nexus. At the time, he made no mention of this as a possibility.

So: Atlantic council's robust Ukraine program, funded by...akhmetov, pinchuk, and Zlochevsky/Burisma.

Sent from my BlackBerry 10 smartphone.

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**From:** John Herbst <[JHerbst@ATLANTICCOUNCIL.ORG](mailto:JHerbst@ATLANTICCOUNCIL.ORG)>

**Sent:** Friday, January 13, 2017 3:52 PM

**To:** Kent, George P; George Kent

**Subject:** Heads Up

George,

I wanted you to know before it becomes public that the Atlantic Council decided to accept support for its program from Burisma. We looked at the matter closely and weighed it for over a month.

Information provided to us by a the Cravath lawyer for Burisma in the London case was an important factor, although some uneasiness remains. Happy to discuss when I am next your way.

Best,  
John



**John Herbst** | Director, Dinu Patriciu Eurasia Center  
Ambassador (Ret.)  
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T: +[1.202.778.4965](tel:12027784965) | Cell: [REDACTED] | Email: [jherbst@AtlanticCouncil.org](mailto:jherbst@AtlanticCouncil.org) |  
[www.facebook.com/AtlanticCouncil](https://www.facebook.com/AtlanticCouncil) | [@JohnEdHerbst](https://twitter.com/JohnEdHerbst) | [www.AtlanticCouncil.org](http://www.AtlanticCouncil.org)

## Joe Biden, His Son and the Case Against a Ukrainian Oligarch

By James Risen

Dec. 8, 2015

WASHINGTON — When Vice President Joseph R. Biden Jr. traveled to Kiev, Ukraine, on Sunday for a series of meetings with the country's leaders, one of the issues on his agenda was to encourage a more aggressive fight against Ukraine's rampant corruption and stronger efforts to rein in the power of its oligarchs.

But the credibility of the vice president's anticorruption message may have been undermined by the association of his son, Hunter Biden, with one of Ukraine's largest natural gas companies, Burisma Holdings, and with its owner, Mykola Zlochevsky, who was Ukraine's ecology minister under former President Viktor F. Yanukovich before he was forced into exile.

Hunter Biden, 45, a former Washington lobbyist, joined the Burisma board in April 2014. That month, as part of an investigation into money laundering, British officials froze London bank accounts containing \$23 million that allegedly belonged to Mr. Zlochevsky.

Britain's Serious Fraud Office, an independent government agency, specifically forbade Mr. Zlochevsky, as well as Burisma Holdings, the company's chief legal officer and another company owned by Mr. Zlochevsky, to have any access to the accounts.

But after Ukrainian prosecutors refused to provide documents needed in the investigation, a British court in January ordered the Serious Fraud Office to unfreeze the assets. The refusal by the Ukrainian prosecutor general's office to cooperate was the target of a stinging attack by the American ambassador to Ukraine, Geoffrey R. Pyatt, who called out Burisma's owner by name in a speech in September.

"In the case of former Ecology Minister Mykola Zlochevsky, the U.K. authorities had seized \$23 million in illicit assets that belonged to the Ukrainian people," Mr. Pyatt said. Officials at the prosecutor general's office, he added, were asked by the United Kingdom "to send documents supporting the seizure. Instead they sent letters to Zlochevsky's attorneys attesting that there was no case against him. As a result, the money was freed by the U.K. court, and shortly thereafter the money was moved to Cyprus."

Mr. Pyatt went on to call for an investigation into "the misconduct" of the prosecutors who wrote the letters. In his speech, the ambassador did not mention Hunter Biden's connection to Burisma.

But Edward C. Chow, who follows Ukrainian policy at the Center for Strategic and International Studies, said the involvement of the vice president's son with Mr. Zlochevsky's firm undermined the Obama administration's anticorruption message in Ukraine.

"Now you look at the Hunter Biden situation, and on the one hand you can credit the father for sending the anticorruption message," Mr. Chow said. "But I think unfortunately it sends the message that a lot of foreign countries want to believe about America, that we are hypocritical about these issues."

Kate Bedingfield, a spokeswoman for the vice president, said Hunter Biden's business dealings had no impact on his father's policy positions in connection with Ukraine.

"Hunter Biden is a private citizen and a lawyer," she said. "The vice president does not endorse any particular company and has no involvement with this company. The vice president has pushed aggressively for years, both publicly with groups like the U.S.-Ukraine Business Forum and privately in meetings with Ukrainian leaders, for Ukraine to make every effort to investigate and prosecute corruption in accordance with the rule of law. It will once again be a key focus during his trip this week."

Ryan F. Toohey, a Burisma spokesman, said that Hunter Biden would not comment for this article.

It is not known how Mr. Biden came to the attention of the company. Announcing his appointment to the board, Alan Apter, a former Morgan Stanley investment banker who is chairman of Burisma, said, "The company's strategy is aimed at the strongest concentration of professional staff and the introduction of best corporate practices, and we're delighted that Mr. Biden is joining us to help us achieve these goals."

Joining the board at the same time was one of Mr. Biden's American business partners, Devon Archer. Both are involved with Rosemont Seneca Partners, an American investment firm with offices in Washington.

Mr. Biden is the younger of the vice president's two sons. His brother, Beau, died of brain cancer in May. In the past, Hunter Biden attracted an unusual level of scrutiny and even controversy. In 2014, he was discharged from the Navy Reserve after testing positive for cocaine use. He received a commission as an ensign in 2013, and he served as a public affairs officer.

Before his father was vice president, Mr. Biden also briefly served as president of a hedge fund group, Paradigm Companies, in which he was involved with one of his uncles, James Biden, the vice president's brother. That deal went sour amid lawsuits in 2007 and 2008 involving the Bidens and an erstwhile business partner. Mr. Biden, a graduate of Georgetown University and Yale Law School, also worked

as a lobbyist before his father became vice president.

Burisma does not disclose the compensation of its board members because it is a privately held company, Mr. Toohey said Monday, but he added that the amount was “not out of the ordinary” for similar corporate board positions.

Asked about the British investigation, which is continuing, Mr. Toohey said, “Not only was the case dismissed and the company vindicated by the outcome, but it speaks volumes that all his legal costs were recouped.”

In response to Mr. Pyatt’s criticism of the Ukrainian handling of Mr. Zlochevsky’s case, Mr. Toohey said that “strong corporate governance and transparency are priorities shared both by the United States and the leadership of Burisma. Burisma is working to bring the energy sector into the modern era, which is critical for a free and strong Ukraine.”

Vice President Biden has played a leading role in American policy toward Ukraine as Washington seeks to counter Russian intervention in Eastern Ukraine. This week’s visit was his fifth trip to Ukraine as vice president.

Ms. Bedingfield said Hunter Biden had never traveled to Ukraine with his father. She also said that Ukrainian officials had never mentioned Hunter Biden’s role with Burisma to the vice president during any of his visits.

“I’ve got to believe that somebody in the vice president’s office has done some due diligence on this,” said Steven Pifer, who was the American ambassador to Ukraine from 1998 to 2000. “I should say that I hope that has happened. I would hope that they have done some kind of check, because I think the vice president has done a very good job of sending the anticorruption message in Ukraine, and you would hate to see something like this undercut that message.”

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A version of this article appears in print on Dec. 9, 2015, Section A, Page 22 of the New York edition with the headline: The Vice President, His Son and the Case Against a Ukrainian Oligarch

# United States Senate

WASHINGTON, DC 20510

September 27, 2019

## VIA ELECTRONIC TRANSMISSION

The Honorable William Barr  
Attorney General  
Department of Justice

Dear Attorney General Barr:

We write to follow up on Senator Grassley's July 20, 2017 letter, which highlighted brazen efforts by the Democratic National Committee and Hillary Clinton campaign to use the government of Ukraine for the express purpose of finding negative information on then-candidate Trump in order to undermine his campaign.<sup>1</sup> That letter also highlighted news reports that, during the 2016 presidential election, "Ukrainian government officials tried to help Hillary Clinton and undermine Trump" and did so by "disseminat[ing] documents implicating a top Trump aide in corruption and suggest[ing] they were investigating the matter[.]"<sup>2</sup> Ukrainian officials also reportedly "helped Clinton's allies research damaging information on Trump and his advisers."<sup>3</sup>

At the center of this plan was Alexandra Chalupa, described by reports as a Ukrainian-American operative "who was consulting for the Democratic National Committee" and who reportedly met with Ukrainian officials during the presidential election for the express purpose of exposing alleged ties between then-candidate Donald Trump, Paul Manafort, and Russia.<sup>4</sup> *Politico* also reported on a *Financial Times* story that quoted a Ukrainian legislator, Serhiy Leschenko, as saying that Trump's candidacy caused "Kiev's wider political leadership to do something they would never have attempted before: intervene, however indirectly, in a U.S. election."<sup>5</sup>

The July 20, 2017 letter further noted that the Democratic National Committee encouraged Chalupa to work with Ukrainian embassy staff to "arrange an interview in which Poroshenko [the president of Ukraine] might discuss Manafort's ties to Yanukovich."<sup>6</sup> In March 2016, Chalupa met with Valeriy Chaly, Ukraine's ambassador to the U.S., and Oksana Shulyar, a top aid to the Ukrainian ambassador, to share her alleged concerns about Manafort. Reports state that the purpose of that initial meeting was to "organize a June reception at the embassy to promote Ukraine." However, another Ukrainian embassy official, Andrii Telizhenko, told

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<sup>1</sup> Letter from Hon. Charles E. Grassley, Chairman, Senate Committee on the Judiciary, to Hon. Rod J. Rosenstein, Attorney General, U.S. Department of Justice (July 20, 2017), *available at* <https://www.grassley.senate.gov/sites/default/files/constituents/2017-0720%20CEG%20to%20DOJ%20%28Ukraine%20DNC%20FARA%29.pdf>.

<sup>2</sup> *Id.*

<sup>3</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, *POLITICO* (Jan. 11, 2017), <https://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

*Politico* that Shulyar instructed him to assist Chalupa with research to connect Trump, Manafort, and the Russians. He reportedly said, “[t]hey were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa” and that “Oksana [Shulyar] was keeping it all quiet...the embassy worked very closely with” Chalupa.<sup>7</sup> In a May 2019 article, Telizhenko was quoted as saying,

[Chalupa] said the DNC wanted to collect evidence that Trump, his organization and Manafort were Russian assets, working to hurt the U.S. and working with [Russian President Vladimir] Putin against the U.S. interests. She indicated if we could find the evidence they would introduce it in Congress in September and try to build a case that Trump should be removed from the ballot, from the election.<sup>8</sup>

Reportedly, Telizhenko was instructed by the Ukrainian government to meet with an American journalist about Paul Manafort’s ties to Ukraine.<sup>9</sup> In addition, in May 2016, Chalupa emailed a DNC official stating that she met with 68 Ukrainian investigative journalists about Manafort and that there would be “[a] lot more coming down the pipe.”<sup>10</sup> Less than a month later, the “black ledger” identifying payments made to Manafort from Ukrainian politicians was publicly released.<sup>11</sup> And finally, Nellie Ohr, the wife of Justice Department official Bruce Ohr, stated during a congressional interview that Fusion GPS used Serhiy Leschenko, a Ukrainian politician that admitted Ukraine intervened in the 2016 election, as a source for derogatory material against then-candidate Trump.<sup>12</sup>

After two years, more than 2,800 subpoenas, approximately 500 search warrants and witness interviews, and \$30 million in taxpayer money, Robert Mueller reported that then-candidate Trump did not collude with the Russians or any other foreign government to interfere with the 2016 presidential election.<sup>13</sup> In contrast, however, the Clinton campaign and Democratic National Committee hired Fusion GPS to conduct opposition research against candidate Trump, which included, among other efforts, the hiring of former British Intelligence Officer Christopher Steele to compile the “Steele Dossier” that reportedly used Russian government sources for information. These facts continue to raise concerns about foreign assistance in the 2016 election that have not been thoroughly addressed.

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<sup>7</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, *POLITICO* (Jan. 11, 2017), <https://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>

<sup>8</sup> John Solomon, *Ukrainian Embassy confirms DNC contractor solicited Trump dirt in 2016*, *The Hill* (May 2, 2019), <https://thehill.com/opinion/white-house/441892-ukrainian-embassy-confirms-dnc-contractor-solicited-trump-dirt-in-2016>

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Jack Gillum et al., *Manafort firm received Ukraine ledger payout*, *AP* (Apr. 12, 2017), [available at https://www.apnews.com/20cfc75c82eb4a67b94e624e97207e23](https://www.apnews.com/20cfc75c82eb4a67b94e624e97207e23).

<sup>12</sup> Transcript of Nellie Ohr Interview, Executive Session House Committee on the Judiciary joint with the Committee on Government Reform and Oversight (Oct. 19, 2018), [available at https://dougcollins.house.gov/sites/dougcollins.house.gov/files/10.19.18%20Nellie%20Ohr%20Interview.pdf](https://dougcollins.house.gov/sites/dougcollins.house.gov/files/10.19.18%20Nellie%20Ohr%20Interview.pdf).

<sup>13</sup> See generally DEP’T OF JUSTICE, OFF. OF SPECIAL COUNSEL, REPORT ON THE INVESTIGATION INTO RUSSIAN INTERFERENCE IN THE 2016 PRESIDENTIAL ELECTION (Mar. 2019), <https://www.justice.gov/storage/report.pdf>.

According to the Justice Department, U.S. Attorney John Durham is “exploring the extent to which...Ukraine, played a role in the counterintelligence investigation” during the 2016 election.<sup>14</sup> However, the Justice Department has yet to inform Congress and the public whether it has begun an investigation into links and coordination between the Ukrainian government and individuals associated with the campaign of Hillary Clinton or the Democratic National Committee. Ukrainian efforts, abetted by a U.S. political party, to interfere in the 2016 election should not be ignored. Such allegations of corruption deserve due scrutiny, and the American people have a right to know when foreign forces attempt to undermine our democratic processes. Accordingly, please provide an answer to two questions from the July 2017 letter related to the Democrats’ collusion with Ukrainian officials:

1. Are you investigating links and coordination between the Ukrainian government and individuals associated with the campaign of Hillary Clinton or the Democratic National Committee? If not, why not?
2. Why hasn’t the Justice Department required Alexandra Chalupa to register as a foreign agent under FARA?

In addition, information has surfaced that raises new questions. A recent report described a note purporting to memorialize a meeting in Kiev between the Ukrainian Acting Prosecutor General, Yuriy Sevruck, and Burisma’s American legal team.<sup>15</sup> Yuriy Sevruck was the temporary replacement for the Prosecutor General that Vice President Biden demanded be fired, Victor Shokin. The note, reportedly written by Sevruck, states that “[t]he purpose of their visit was an apology for dissemination of false information by U.S. representatives and public figures on the activities of the Prosecutor General’s Office of Ukraine [Shokin] in regards to the investigation of criminal activities of Zlochevshy [Oligarch owner of Burisma Holdings].”<sup>16</sup>

The article also reports that Ukrainian prosecutors have unsuccessfully been trying to get information to Justice Department officials since the summer of 2018, possibly including “[h]undreds of pages of never-released memos and documents ... [that] conflict with Biden’s narrative”<sup>17</sup> that his actions in Ukraine had nothing to do with his son’s connections to Burisma. In light of this reporting, has the Justice Department obtained or been offered documents from Ukrainian officials related to these matters? If so, what were those documents?

We respectfully request that you respond to all of these questions no later than October 14, 2019.

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<sup>14</sup> Jeff Mordock, *John Durham investigating Ukraine in Trump-Russia origins probe*, The Washington Times (Sept. 25, 2019), <https://www.washingtontimes.com/news/2019/sep/25/john-durham-probing-ukraine-as-part-of-trump-russi/>

<sup>15</sup> John Solomon, *These once-secret memos cast doubt on Joe Biden’s Ukraine story*, The Hill (Sept. 26, 2019), <https://thehill.com/opinion/campaign/463307-solomon-these-once-secret-memos-cast-doubt-on-joe-bidens-ukraine-story>.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

We anticipate that your written reply and most responsive documents will be unclassified. Please send all unclassified material directly to the Committee. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. Although the Committees comply with all laws and regulations governing the handling of classified information, they are not bound, absent their prior agreement, by any handling restrictions.

Thank you in advance for your prompt attention to these matters. Should you have any questions, please contact Joshua Flynn-Brown of Chairman's Grassley's staff at (202) 224-4515 or Brian Downey or Scott Wittmann of Chairman Johnson's staff at (202) 224-4751.

Sincerely,

Charles E. Grassley  
Chairman  
Senate Finance Committee

Ron Johnson  
Chairman  
Senate Homeland Security  
and Governmental Affairs

United States Senate  
WASHINGTON, DC 20510

November 6, 2019

The Honorable Michael R. Pompeo  
Secretary of State  
2201 C Street, NW  
Washington, DC 20520

Dear Secretary Pompeo:

In April 2014, Vice President Biden reportedly became the “public face of the administration’s handling of Ukraine.”<sup>1</sup> Around the same time, the Vice President’s son, Hunter Biden, and his business associate, Devon Archer, both began serving on the board of Burisma Holdings, a Ukrainian energy company.<sup>2</sup> According to the *New York Times*, Hunter Biden, “would be paid as much as \$50,000 per month in some months for his work for the company.”<sup>3</sup>

E-mails obtained and publicly released through the Freedom of Information Act (FOIA) show that, at the time Hunter Biden and Devon Archer joined Burisma, their other business partner, Christopher Heinz, the stepson to then-Secretary of State John Kerry, e-mailed senior State Department officials about the announcement with concern.<sup>4</sup> Specifically, on May 13, 2014, Heinz wrote to Special Assistant Matt Summers and Chief of Staff David Wade:

Apparently Devon and Hunter both joined the board of Burisma and a press release went out today. I cant [sic] speak why they decided to, but there was no investment by our firm in their company.<sup>5</sup>

Heinz has also been quoted through his spokesman as saying he “strongly warned Mr. Archer that working with Burisma was unacceptable” and “[t]he lack of judgment in this matter was a major catalyst for Mr. Heinz ending his business relationships with Mr. Archer and Mr. Biden.”<sup>6</sup>

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<sup>1</sup> Susan Crabtree, *Joe Biden emerges as Obama’s trusty sidekick*, Wash. Examiner, Apr. 25, 2014, <https://www.washingtonexaminer.com/joe-biden-emerges-as-obamas-trusty-sidekick>.

<sup>2</sup> Kenneth P. Vogel and Iuliia Mendel, *Biden Faces Conflict of Interest Questions That Are Being Promoted by Trump Allies*, N.Y. Times, May 1, 2019, <https://www.nytimes.com/2019/05/01/us/politics/biden-son-ukraine.html>.

<sup>3</sup> *Id.*

<sup>4</sup> According to reports, Christopher Heinz and Devon Archer founded Rosemont Capital, a private equity firm. Hunter Biden, Christopher Heinz, and Devon Archer founded Rosemont Seneca Partners. Adam Entous, *Will Hunter Biden Jeopardize His Father’s Campaign?* New Yorker, July 1, 2019, <https://www.newyorker.com/magazine/2019/07/08/will-hunter-biden-jeopardize-his-fathers-campaign>.

<sup>5</sup> Email from Chris Heinz to Matt Summers & David Wade, U.S. State Dep’t (May 13, 2014), <https://www.scribd.com/document/433436789/CU-v-State-FOIA-Doc-Ukraine>; see also Alana Goodman, *John Kerry’s son cut business ties with Hunter Biden over Ukrainian oil deal*, Wash. Examiner, Aug. 27, 2019, <https://www.washingtonexaminer.com/politics/john-kerrys-son-cut-business-ties-with-hunter-biden-over-ukrainian-oil-deal>.

<sup>6</sup> Paul Sonne, Michael Kranish, Matt Viser, *The gas tycoon and the vice president’s son: The story of Hunter Biden’s foray into Ukraine*, The Washington Post (Sept. 29, 2019), <https://www.msn.com/en-us/news/world/the-gas-tycoon-and-the-vice-president-s-son-the-story-of-hunter-biden-s-foray-into-ukraine/ar-AAHZFB6>.

According to the *Times*, “Hunter Biden’s work for Burisma prompted concerns among State Department officials at the time that the connection could complicate Vice President Biden’s diplomacy in Ukraine[.]”<sup>7</sup> Based on this report, it is unclear the extent to which State Department officials expressed these concerns formally and what, if any, action the Department took to address them.

In 2016, while Hunter Biden and Devon Archer were both working for Burisma Holdings, Ukraine’s top prosecutor was conducting an investigation into the company and its owner.<sup>8</sup> The *Times* reported that, in 2016, Vice President Biden “threatened to withhold \$1 billion in United States loan guarantees if Ukraine’s leaders did not dismiss the country’s [Prosecutor General Viktor Shokin].”<sup>9</sup> Ukraine’s parliament voted to dismiss Shokin after Vice President Biden called for his removal.<sup>10</sup>

Indeed, Vice President Biden later bragged about how he was responsible for Shokin’s firing:

...we’re not going to give you the billion dollars. They said, you have no authority. You’re not the president. The president said—I said, call him. I said, I’m telling you, you’re not getting the billion dollars. I said, you’re not getting the billion. I’m going to be leaving here in, I think it was about six hours. I looked at them and said: I’m leaving in six hours. If the prosecutor is not fired, you’re not getting the money. Well, son of a b-tch. He got fired. And they put in place someone who was solid at the time.<sup>11</sup>

E-mails recently obtained and made public through a FOIA request indicate that Burisma’s consulting firm used Hunter Biden’s role on Burisma’s board to gain access and potentially influence matters at the State Department. In a February 24, 2016, email with the subject line “Burisma,” a State Department official wrote:

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<sup>7</sup> Kenneth P. Vogel and Iuliia Mendel, *Biden Faces Conflict of Interest Questions That Are Being Promoted by Trump Allies*, N.Y. Times, May 1, 2019, <https://www.nytimes.com/2019/05/01/us/politics/biden-son-ukraine.html>.

<sup>8</sup> *Id.*; Oleg Sukhov, *Powerful suspects escape justice on Lutsenko’s watch*, Kyiv Post, Apr. 13, 2018, <https://www.kyivpost.com/ukraine-politics/powerful-suspects-escape-justice-lutsenkos-watch.html?cn-reloaded=1>.

<sup>9</sup> Another report indicates that Vice President Biden made this threat in late 2015. See e.g., Kenneth P. Vogel and Iuliia Mendel, *Biden Faces Conflict of Interest Questions That Are Being Promoted by Trump Allies*, N.Y. Times, May 1, 2019, <https://www.nytimes.com/2019/05/01/us/politics/biden-son-ukraine.html>; Glen Kessler, *Correcting a media error: Biden’s Ukraine showdown was in December 2015*, Wash. Post, Oct. 2, 2019, <https://www.washingtonpost.com/politics/2019/10/02/correcting-media-error-bidens-ukraine-showdown-was-december/>.

<sup>10</sup> *Prosecutor General Shokin dismissed officially*, Unian, Apr. 3, 2016, <https://www.unian.info/politics/1308082-prosecutor-general-shokin-dismissed-officially.html>.

<sup>11</sup> Erielle Davidson, *Watch Joe Biden Brag About Bribing Ukraine to Fire The Prosecutor Investigating His Son’s Company*, The Federalist, Sept. 24, 2019, <https://thefederalist.com/2019/09/24/watch-joe-biden-brag-about-bribing-ukraine-to-fire-the-prosecutor-investigating-his-sons-company/>.

Per our conversation, Karen Tramontano of Blue Star Strategies requested a meeting to discuss with [Under Secretary] Novelli [U.S. Government] remarks alleging Burisma (Ukrainian energy company) of corruption. **She noted that two high profile U.S. citizens are affiliated with the company (including Hunter Biden as a board member). Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that the company is corrupt.** According to Tramontano, there is no evidence of corruption, has been no hearing or process, and evidence to the contrary has not been considered. Would appreciate any background you may be able to provide on this issue and suggested TPs for U/S Novelli's meeting.<sup>12</sup>

Although it is not clear if Under Secretary Novelli met with Karen Tramontano on March 1, 2016, as planned, later that month Tramontano and other members of Burisma's legal team reportedly met with Ukrainian prosecutors.<sup>13</sup> According to what appears to be contemporaneous notes by one of those Ukrainian prosecutors, during that meeting, Burisma's legal team apologized about what they alleged to be "false information" promoted by the U.S. Government about the prosecutors' handling of the investigation of Burisma.<sup>14</sup>

Additionally, other documents obtained and made public through FOIA show other meetings that Burisma board members Hunter Biden and Devon Archer scheduled with high-ranking State Department officials. In May 2015, Hunter Biden asked to meet then-Deputy Secretary of State Antony Blinken to "get [his] advice on a couple of things" and again for lunch on July 22, 2015.<sup>15</sup> On March 2, 2016, just one day after Tramontano was scheduled to meet with Under Secretary Novelli about Burisma, Devon Archer was scheduled to meet with Secretary of State John Kerry.<sup>16</sup>

To better understand what actions, if any, the Obama administration took to ensure that policy decisions relating to Ukraine and Burisma were not improperly influenced by the employment and financial interests of family members, please provide the following information no later than November 20, 2019:

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<sup>12</sup> John Solomon, *Hunter Biden's Ukraine gas firm pressed Obama administration to end corruption allegations, memos show*, johnsolomonreports.com, Nov. 4, 2019, <https://johnsolomonreports.com/hunter-bidens-ukraine-gas-firm-pressed-obama-administration-to-end-corruption-allegations-memos-show/> (emphasis added).

<sup>13</sup> John Solomon, *These once-secret memos cast doubt on Joe Biden's Ukraine story*, The Hill, Sept. 26, 2019, <https://thehill.com/opinion/campaign/463307-solomon-these-once-secret-memos-cast-doubt-on-joe-bidens-ukraine-story>.

<sup>14</sup> *Id.*

<sup>15</sup> Emails between Hunter Biden and U.S. State Dep't Officials (May 2015), <https://www.scribd.com/document/433389212/Biden-Blinken-Meeting>.

<sup>16</sup> Email between U.S. State Dep't Officials (Mar. 2, 2016), <https://www.scribd.com/document/433389208/Archer-Meeting-Kerry>.

1. All State Department records<sup>17</sup> relating to Hunter Biden, Devon Archer, Christopher Heinz, and Karen Tramontano.
2. All State Department records relating to Burisma Holdings, Rosemont Seneca Partners, Rosemont Seneca Bohai LLC, Rosemont Capital, and Blue Star Strategies.
3. Based on the February 24, 2016 e-mail cited above, it appears that Tramontano wanted to meet with then-Under Secretary Novelli. Did this meeting occur? If so, when and who attended? Please produce all records relating to the meeting.
4. With respect to the March 2, 2016, meeting between Devon Archer and Secretary Kerry, did that meeting take place? If so, when did it occur, what was it about, and who attended? Please produce all records relating to the meeting.
5. With respect to the May 27, 2015, and July 22, 2015, meetings between Hunter Biden and Antony Blinken, did these meetings take place? If so, when did it occur, what was it about, and who attended? Please produce all records relating to the meeting.
6. In the February 24, 2016 e-mail cited above, a State Department employee wrote that, “Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that [Burisma] is corrupt.” Based on this e-mail, it appears that the U.S. had “determin[ed]” Burisma to be corrupt. Is this accurate? Please explain.
7. Has the State Department requested that the Office of the Legal Adviser or the Office of Inspector General review potential concerns and conflicts of interest related to Hunter Biden’s work for Burisma while Vice President Biden reportedly acted as the United States’ top official in Ukraine? If not, why not?

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate “the efficiency, economy, and effectiveness of all agencies and departments of the Government.”<sup>18</sup> Additionally, Senate Resolution 70 (116th Congress) authorizes the Committee to examine “the efficiency and economy of operations of all branches and functions of the Government with particular references to (i) the effectiveness of present national security methods, staffing, and processes[.]”<sup>19</sup>

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<sup>17</sup> “Records” include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

<sup>18</sup> S. Rule XXV; *see also* S. Res. 445, 108th Cong. (2004).

<sup>19</sup> S. Res. 70, 116th Cong. § 12(e)(1)(E) (2019).

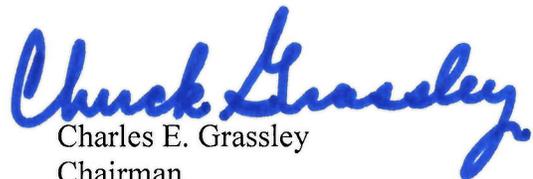
We anticipate that your written response and most of the responsive documents will be unclassified. Please send all unclassified material directly to the Committees. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. The Committees comply with all laws and regulations governing the handling of classified information. The Committees are not bound, absent their prior agreement, by any handling restrictions or instructions on unclassified information unilaterally asserted by the Executive Branch.

If you have any questions about this request, please ask your staff to contact Brian Downey and Scott Wittmann of Chairman Johnson's staff at (202) 224-4751 or Joshua Flynn-Brown of Chairman Grassley's staff at (202) 224-4515. Thank you for your attention to this matter.

Sincerely,



Ron Johnson  
Chairman  
Committee on Homeland Security and  
Governmental Affairs



Charles E. Grassley  
Chairman  
Committee on Finance

# United States Senate

WASHINGTON, DC 20510

November 21, 2019

The Honorable David S. Ferriero  
Archivist of the United States  
U.S. National Archives and Records Administration  
700 Pennsylvania Avenue, NW  
Washington, DC 20408

Dear Mr. Ferriero:

We write to request records of multiple White House meetings that took place in 2016 between and among Obama administration officials, Ukrainian government representatives, and Democratic National Committee (DNC) officials. According to recent reports, in January 2016 “some of Ukraine’s top corruption prosecutors and investigators [met] face to face with members of former President Obama’s National Security Council (NSC), FBI, State Department and Department of Justice (DOJ).”<sup>1</sup> Other meetings included Alexandra Chalupa, a contractor for the DNC, who reportedly worked with Ukrainian government officials to undermine the Trump campaign.

According to Andrii Telizhenko, a political officer in the Ukraine Embassy in Washington, D.C. who participated in a January 2016 meeting, “U.S. officials volunteered . . . that they had an interest in reviving a closed investigation into payments to U.S. figures from Ukraine’s Russia-backed Party of Regions,” which refers to the investigation that involved Paul Manafort.<sup>2</sup> He “recalled DOJ officials asking investigators from Ukraine’s National Anti-Corruption Bureau (NABU) if they could help locate new evidence about the Party of Regions’ payments and its dealings with Americans.”<sup>3</sup>

During that same meeting, U.S. officials also reportedly brought up investigations relating to Burisma Holdings, the Ukrainian gas company that had hired then-Vice President Joe Biden’s son, Hunter, to serve as a board member.<sup>4</sup> According to Telizhenko, “U.S. officials told the Ukrainians they would prefer that Kiev drop the Burisma probe and allow the FBI to take it over.”<sup>5</sup>

According to that same reporting, there were multiple meetings between U.S. officials and Ukrainian authorities in January 2016. It noted that at least one of these meetings was held

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<sup>1</sup> John Solomon, *How the Obama White House engaged Ukraine to give Russia collusion narrative an early boost*, The Hill (Apr. 25, 2019), <https://thehill.com/opinion/white-house/440730-how-the-obama-white-house-engaged-ukraine-to-give-russia-collusion>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

in the White House's Old Executive Office Building (OEOB), and confirmed that Nazar Kholodnytskyy, the head of Ukraine's Specialized Anticorruption Prosecutor's Office, attended some but not all of these meetings.<sup>6</sup>

White House meeting records also show that Alexandra Chalupa, a Ukrainian-American operative "who was consulting for the Democratic National Committee" during the 2016 U.S. presidential election, attended numerous meetings at the White House, including one event with President Obama.<sup>7</sup>

Chalupa reportedly worked to get dirt on Trump from the Ukrainians. For example, in March 2016, Chalupa reportedly met with Valeriy Chaly, Ukraine's ambassador to the U.S., and Oksana Shulyar, a top aid to the Ukrainian ambassador, to share her alleged concerns about Manafort.<sup>8</sup> Reports state that the purpose of that initial meeting was to "organize a June reception at the embassy to promote Ukraine."<sup>9</sup> However, Ukrainian embassy official Andrii Telizhenko told *Politico* that Shulyar instructed him to assist Chalupa with research to connect Trump, Manafort, and the Russians.<sup>10</sup> He reportedly said, "[t]hey were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa" and that "Oksana [Shulyar] was keeping it all quiet...the embassy worked very closely with" Chalupa.<sup>11</sup> According to Telizhenko:

[Chalupa] said the DNC wanted to collect evidence that Trump, his organization and Manafort were Russian assets, working to hurt the U.S. and working with [Russian President Vladimir] Putin against the U.S. interests. She indicated if we could find the evidence they would introduce it in Congress in September and try to build a case that Trump should be removed from the ballot, from the election.<sup>12</sup>

White House visitor logs indicate that Chalupa visited the White House on at least 27 occasions.<sup>13</sup> In 2016, the year of the presidential election, she visited the White House at least five times on January 12, 2016; February 22, 2016; April 4, 2016; May 13, 2016; and June 14, 2016.<sup>14</sup>

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<sup>6</sup> *Id.*

<sup>7</sup> White House Visitor Access Records 2016 Log, [obamawhitehouse.archives.gov](https://obamawhitehouse.archives.gov), <https://obamawhitehouse.archives.gov/briefing-room/disclosures/visitor-records>.

<sup>8</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, *Politico* (Jan. 11, 2017), <https://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> John Solomon, *Ukrainian Embassy confirms DNC contractor solicited Trump dirt in 2016*, *The Hill* (May 2, 2019), <https://thehill.com/opinion/white-house/441892-ukrainian-embassy-confirms-dnc-contractor-solicited-trump-dirt-in-2016>.

<sup>13</sup> Sara Carter, *Whistleblower and DNC Contractor Visited Obama WH. It Must Be Investigated*, *Saraacarter.com* (Nov. 8, 2019), <https://saraacarter.com/whistleblower-and-dnc-contractor-visited-obama-wh-it-must-be-investigated/>; White House Visitor Access Records 2008-2016 Logs, [obamawhitehouse.archives.gov](https://obamawhitehouse.archives.gov), <https://obamawhitehouse.archives.gov/briefing-room/disclosures/visitor-records>.

<sup>14</sup> White House Visitor Access Records 2016 Log, [obamawhitehouse.archives.gov](https://obamawhitehouse.archives.gov), <https://obamawhitehouse.archives.gov/briefing-room/disclosures/visitor-records>.

In order to better understand the nature of these meetings, including who attended and what was discussed, please provide the following information:

1. All records<sup>15</sup> relating to the five White House meetings listed above—January 12, 2016; February 22, 2016; April 4, 2016; May 13, 2016; and June 14, 2016—including, but not limited to:
  - a. Purpose and attendees;
  - b. Notes or transcriptions from the meetings; and
  - c. Communications about the meetings.
  
2. All records relating to meetings between and among White House officials, Andrii Telizhenko, Nazar Kholodnytsky, Oksana Shulyar, and Valeriy Chaly including, but not limited to:
  - a. Purpose and attendees;
  - b. Notes or transcriptions from the meetings; and
  - c. Communications about the meetings.

Please provide these documents as soon as possible but no later than 5:00 p.m. on December 5, 2019.

We anticipate that your written reply and most responsive documents will be unclassified. Please send all unclassified material directly to the Committees. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. Although the Committees comply with all laws and regulations governing the handling of classified information, they are not bound, absent their prior agreement, by any handling restrictions.

Thank you for your prompt attention. Should you have any questions, please contact Brian Downey or Scott Wittmann of Chairman Johnson's staff at 202-224-4751 and Joshua Flynn-Brown of Chairman Grassley's staff at 202-224-4515.

Sincerely,



Ron Johnson  
Chairman  
Committee on Homeland Security  
and Governmental Affairs



Charles E. Grassley  
Chairman  
Committee on Finance

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<sup>15</sup> "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

# United States Senate

WASHINGTON, DC 20510

December 17, 2019

The Honorable Lindsey O. Graham  
Chairman  
Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Ron Johnson  
Chairman  
Committee on Homeland Security and  
Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Charles E. Grassley  
Chairman  
Committee on Finance  
United States Senate  
219 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairs Graham, Grassley and Johnson:

You have stated your intent to investigate purported Ukrainian interference in the 2016 election and Vice President Joe Biden – the same investigations that President Trump pressed the Ukrainian government to announce that it would pursue.

Allegations of Ukrainian interference in the 2016 election are part of a Russian disinformation campaign. Dr. Fiona Hill, the former head of Russia and Ukraine policy for the National Security Council and formerly the top analyst for Russia at the National Intelligence Council, testified to Congress, with regard to these allegations: “This is a fictional narrative that is being perpetrated and propagated by the Russian security services themselves.” And Assistant Secretary of State George Kent testified that there is no evidence “whatsoever” of wrongdoing by Vice President Biden. Consequently, we do not see a basis for an investigation by three major Senate Committees into these discredited allegations and believe that doing so could advance the Russian disinformation and election interference efforts. We should not facilitate foreign interference in our 2020 election.

Should you chose to continue this effort, we ask, consistent with Senate Rule 26, that you provide us with any evidence that you have that supports the investigation.

Sincerely,



Dianne Feinstein  
Ranking Member  
Committee on the Judiciary



Gary C. Peters  
Ranking Member  
Committee on Homeland Security  
and Governmental Affairs



Ron Wyden  
Ranking Member  
Committee on Finance

RON JOHNSON, WISCONSIN, CHAIRMAN

ROB PORTMAN, OHIO  
RAND PAUL, KENTUCKY  
JAMES LANKFORD, OKLAHOMA  
MITT ROMNEY, UTAH  
RICK SCOTT, FLORIDA  
MICHAEL B. ENZI, WYOMING  
JOSH HAWLEY, MISSOURI

GARY C. PETERS, MICHIGAN  
THOMAS R. CARPER, DELAWARE  
MAGGIE HASSAN, NEW HAMPSHIRE  
KAMALA D. HARRIS, CALIFORNIA  
KYRSTEN SINEMA, ARIZONA  
JACKY ROSEN, NEVADA

# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR  
DAVID M. WEINBERG, MINORITY STAFF DIRECTOR

February 27, 2020

The Honorable Ron Johnson  
Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, DC 20510

Dear Chairman Johnson:

On February 24, 2020, you notified me of your intent to issue a subpoena to Andrii Telizhenko for attendance and the production of records.<sup>1</sup>

I warned when this investigation began that “[w]e should not facilitate foreign interference in our 2020 election.”<sup>2</sup> I remain concerned that the United States Senate and this Committee could be used to further disinformation efforts by Russian or other actors. Because these efforts pose a threat to our national security, I have asked for the Committee to receive defensive briefings – specifically regarding Mr. Telizhenko – from relevant intelligence community and law enforcement officials, to ensure the Senate is not used to advance any disinformation campaigns.

Given the significant national security concerns related to this request, it should be subject to a Committee vote. Pursuant to Rule 5(C) of the Rules of Procedure of the Committee on Homeland Security and Governmental Affairs, I disapprove of the issuance of the subpoena.

Sincerely,



Gary C. Peters  
Ranking Member  
Committee on Homeland Security  
and Governmental Affairs

<sup>1</sup>Letter from Sen. Ron Johnson, Chairman, S. Comm. on Homeland Security and Governmental Affairs to Sen. Gary C. Peters, Ranking Member, S. Comm. on Homeland Security and Governmental Affairs (February 24, 2020).

<sup>2</sup>Letter from Sen. Gary C. Peters, Ranking Member, S. Comm. on Homeland Security and Governmental Affairs, Sen. Diane Feinstein, Ranking Member, S. Comm. on the Judiciary, and Sen. Ron Wyden, Ranking Member, S. Comm. on Finance to Sen. Ron Johnson, Chairman, S. Comm. on Homeland Security and Governmental Affairs, Sen. Lindsey Graham, Chairman, S. Comm. on the Judiciary, and Sen. Charles Grassley, Chairman, S. Comm. on Finance (December 17, 2019).

RON JOHNSON, WISCONSIN, CHAIRMAN

ROB PORTMAN, OHIO  
RAND PAUL, KENTUCKY  
JAMES LANKFORD, OKLAHOMA  
MITT ROMNEY, UTAH  
RICK SCOTT, FLORIDA  
MICHAEL B. ENZI, WYOMING  
JOSH HAWLEY, MISSOURI

GARY C. PETERS, MICHIGAN  
THOMAS R. CARPER, DELAWARE  
MAGGIE HASSAN, NEW HAMPSHIRE  
KAMALA D. HARRIS, CALIFORNIA  
KYRSTEN SINEMA, ARIZONA  
JACKY ROSEN, NEVADA

# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR  
DAVID M. WEINBERG, MINORITY STAFF DIRECTOR

March 17, 2020

The Honorable Ron Johnson  
Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, DC 20510

Dear Chairman Johnson:

On March 12, 2020, you notified me of your intent to issue a subpoena to Blue Star Strategies. Pursuant to Rule 5(C) of the Rules of Procedure of the Committee on Homeland Security and Governmental Affairs, I disapprove.

The subpoena request is inappropriate for a number of reasons: you have not fully pursued voluntary production of these records; you have not scheduled the intelligence briefings you agreed to; you risk continuing to amplify foreign election interference efforts; and your own public comments acknowledge that your investigation is at least partially targeted at influencing voters, "if I were a Democrat primary voter, I'd want these questions satisfactorily answered before I cast my final vote."<sup>1</sup>

I would disapprove of the subpoena under ordinary circumstances. But these are not ordinary circumstances. A day after you sent the subpoena notice, the President declared a national emergency for the COVID-19 pandemic. This is an unprecedented crisis, and it requires an all hands response. This is a misuse of Committee resources, especially at a time when we must focus on work that advances the health, safety, and economic security of Americans consistent with our Committee's mission. Your subpoena request does not advance that work.

Sincerely,



Gary C. Peters  
Ranking Member  
Committee on Homeland Security  
and Governmental Affairs

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<sup>1</sup> *Republicans lean into Biden probe as he surges in Democratic primary*, Politico (March 4, 2020) (<https://www.politico.com/news/2020/03/04/joe-biden-probe-2020-election-120924>).

# United States Senate

WASHINGTON, DC 20510

July 16, 2020

The Honorable Ron Johnson  
Chairman  
Senate Committee on Homeland Security  
and Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Chuck Grassley  
Chairman  
Senate Committee on Finance  
219 Dirksen Senate Office Building  
Washington, DC 20510

Chairmen Johnson and Grassley,

We reiterate our request for a briefing for Members of our Committees from the Federal Bureau of Investigation's Foreign Influence Task Force and relevant Intelligence Community members related to your ongoing investigation. Two weeks ago, the *Washington Post* reported that "a Ukrainian lawmaker who was once affiliated with a pro-Russian political party and has met with [Rudy] Giuliani released 10 edited snippets of what appeared to be [Joe] Biden's official vice presidential phone calls in 2016 with Petro Poroshenko." The *Post* reported that this lawmaker "studied under the KGB in Moscow in the early 1990s" and that these efforts "suggest a new push by foreign forces to sway American voters in the run-up to the 2020 election."<sup>1</sup>

Our staff requested this briefing in December 2019. Ranking Member Peters then requested a Member briefing after a classified staff briefing led to the cancellation of a Committee on Homeland Security and Governmental Affairs (HSGAC) vote to subpoena Andrii Telizhenko. Ranking Member Peters then made a motion asking for this briefing at the HSGAC May 20, 2020, business meeting before a vote authorizing a subpoena for some of the same information Chairman Johnson first sought from the canceled Telizhenko subpoena vote.

As Committees charged with safeguarding our homeland security and financial systems, we have a responsibility to fully understand the national security and counterintelligence implications of foreign election interference and your ongoing investigative work. We ask that you please formally request, schedule, and prioritize this briefing for the Members of our Committees as soon as possible.

Sincerely,



Gary C. Peters  
Ranking Member  
Senate Committee on Homeland Security  
and Governmental Affairs



Ron Wyden  
Ranking Member  
Senate Committee on Finance

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<sup>1</sup> Paul Sonne et al., *Hunt for Biden tapes in Ukraine by Trump allies revives prospect of foreign interference*, THE WASHINGTON POST (July 1, 2020), [https://www.washingtonpost.com/national-security/for-months-trump-allies-hunted-for-tapes-of-biden-in-ukraine-now-theyre-turning-up/2020/06/30/f3acaba8-a67b-11ea-8681-7d471bf20207\\_story.html](https://www.washingtonpost.com/national-security/for-months-trump-allies-hunted-for-tapes-of-biden-in-ukraine-now-theyre-turning-up/2020/06/30/f3acaba8-a67b-11ea-8681-7d471bf20207_story.html).



## OFFICE OF BARACK AND MICHELLE OBAMA

March 13, 2020

The Honorable David S. Ferriero  
Archivist of the United States  
National Archives and Records Administration  
700 Pennsylvania Avenue NW  
Washington, DC 20408

Dear Mr. Ferriero:

I write in connection with the November 21, 2019 request from Senator Johnson and Senator Grassley to the National Archives and Records Administration (NARA) for Obama administration records related to certain meetings connected to Ukraine.

As you know, under the Presidential Records Act, the records requested are scheduled for release pursuant to terms set under that Act. NARA is authorized to provide special access to presidential records to a Committee of either House of Congress before their scheduled release date, provided the information in the records “is needed for the conduct of its business” and “is not otherwise available.” 44 U.S.C. § 2205(2)(C). By law, both the former and incumbent Presidents are provided an opportunity to review the documents and withhold documents from release in order to protect the constitutionally based interest in the confidentiality of presidential communications. The express terms of the Presidential Records Act, together with the established norms governing its ongoing administration, achieve Congress’ legislative purpose of ensuring the public ownership of presidential records while “assiduously minimize[ing] outside interference with the day-to-day operations of the President and his closest advisors....” *Armstrong v. Bush*, 982 F.2d 38 (D.C. Cir. 1991).

President Obama has consistently supported the nonpartisan administration of presidential records and the commitment to transparency core to NARA’s mission.<sup>1</sup> However, the current request is not a proper use of the limited NARA exceptions. It arises out of efforts by some, actively supported by Russia, to shift the blame for Russian interference in the 2016 election to Ukraine. *See Fiona Hill* HSPCI Testimony at 39-40 (“Based on questions I have heard, some of you on this committee appear to believe that Russia and its security services did not conduct a campaign against our country and that, perhaps, somehow for some reason Ukraine did. This is a fictional narrative that is being perpetrated and propagated by the Russian security services themselves.”); *David Hale* Senate Committee on Foreign Relations Testimony of December 3, 2019 (“I have seen no credible evidence about these allegations of Ukraine.”).

The request for early release of presidential records in order to give credence to a Russian disinformation campaign – one that has already been thoroughly investigated by a bipartisan congressional committee – is without precedent. *See* Natasha Bertrand, *Senate panel look into Ukraine interference comes up short*,

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<sup>1</sup> Since 2017, the Office of President Obama has produced 12,880 pages of presidential records in response to special access requests from the White House and Congress.



## OFFICE OF BARACK AND MICHELLE OBAMA

Politico (Dec. 2, 2019). This use of the special access process serves no legitimate purpose, and does not outweigh or justify infringing confidentiality interests that all presidents have sought to protect.

Nevertheless, in the interest of countering the misinformation campaign underlying this request, we are prepared on this occasion to provide the Committees access to the records responsive to this request. In doing so, we emphasize that abuse of the special access process strikes at the heart of presidential confidentiality interests and undermines the statutory framework and norms that govern access to presidential records.

Sincerely,

A handwritten signature in dark ink, reading "Anita Decker Breckenridge". The signature is fluid and cursive, with a long horizontal stroke at the end.

Anita Decker Breckenridge  
Records Representative to President Obama

cc: The Honorable Ron Johnson  
The Honorable Charles E. Grassley

# The Washington Post

*Democracy Dies in Darkness*

## Hunt for Biden tapes in Ukraine by Trump allies revives prospect of foreign interference

By **Paul Sonne**, **Rosalind S. Helder**, **Josh Dawsey** and **David L. Stern**

July 1, 2020 at 7:02 p.m. EDT

President Trump’s allies were in pursuit of a tantalizing prospect last year: tape recordings of Joe Biden speaking to Ukrainian officials while he was vice president, conversations they believed could help them damage Biden’s current bid for the White House.

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The previously undisclosed hunt for tapes of Biden and other recordings in Ukraine, described by several people who were involved, came as the president’s personal attorney, Rudolph W. Giuliani, was casting a wide net for material to undermine Trump’s political rival — a scheme that ultimately helped set in motion the president’s impeachment.

“We would have loved to get the recordings, but we never did,” Giuliani said in a recent interview.

AD

Now, with just four months to go before Election Day, that material is surfacing in Ukraine and being touted by some of the president's backers in the United States, including his eldest son in May.

Last week, a Ukrainian lawmaker who was once affiliated with a pro-Russian political party and has met with Giuliani released 10 edited snippets of what appeared to be Biden's official vice presidential phone calls in 2016 with Petro Poroshenko, then the president of Ukraine. It was the second cache of recordings the lawmaker, who studied under the KGB in Moscow in the early 1990s, has released since May.

The recordings show that Biden, as he has previously said publicly, linked loan guarantees for Ukraine to the ouster of the country's prosecutor general. The tapes do not provide evidence to back Giuliani's long-standing accusation that Biden sought to have him fired to block an investigation of a gas company that had hired his son Hunter.

AD

The authenticity of the audio files, which appear heavily edited, could not be verified. The Ukrainian government is investigating how they were obtained. Biden's campaign has said they are part of an effort to concoct conspiracy theories to smear him. Poroshenko has gone further and called them fake.

Still, the material was quickly seized upon by One America News, a favorite network of the president that has featured pro-Trump conspiracy theories and in June debuted the first installment of what it said will be a series of reports featuring recordings of Biden.

Both Giuliani and Lev Parnas, a Ukrainian American businessman who served as his fixer in Ukraine, confirmed that they sought tapes of Biden last year. Giuliani said he received assistance in his pursuit from a source within the State Department, who he claimed pointed him to the dates of certain conversations between Biden and Poroshenko by accessing an official U.S. government archive.

AD

Giuliani told The Washington Post that he did not know the recently released recordings were coming before they were posted online in May. But in a recent interview with OAN, the former New York mayor claimed to be aware of other tapes that were “far more damaging,” saying, “I would hope that those tapes are put out also.”

On their own, the audio snippets that have been released do not significantly change what was already known about Biden’s diplomacy toward Ukraine, where he led a U.S. and European effort to back Poroshenko’s pro-Western government in the face of a Russian invasion and destabilization campaign. And other than from OAN, they have received little attention.

But the efforts to promote the recordings in Ukraine and the United States — and pledges by other Trump allies to release more in the coming months — suggest a new push by foreign forces to sway American voters in the run-up to the 2020 election, one welcomed by the president’s personal lawyer.

The developments further illustrate Trump’s willingness to benefit from foreign intervention in U.S. elections, even after being impeached on charges of pressuring Ukraine to launch investigations into his political rivals. In an interview last year, the president said that if a foreign country called offering information on his opponent, “I think I’d want to hear it.” His former national security adviser John Bolton alleges in a newly released book that Trump last year asked the Chinese president to help him win reelection. The White House has denied Bolton’s account.

AD

Tim Murtaugh, a spokesman for the Trump campaign, declined to comment on the Ukraine tapes. The campaign has so far not focused on the recordings in its attacks on Biden.

Andrew Bates, a spokesman for Biden's campaign, said, "All the president's men, both within our country and outside of it, have been constantly trafficking in objectively false, malicious conspiracy theories targeting Joe Biden since before he even entered the race. And their efforts have invariably fallen apart — because the American people know Joe Biden, his character and his values."

Giuliani has been interacting on and off with the Ukrainian lawmaker who has been releasing the clips, Andrii Derkach, since meeting him in Kyiv in December, the former New York mayor told The Post. In an interview, Giuliani described the former member of Ukraine's Russian-leaning Party of Regions as "very helpful" and said that they talked many times about Ukraine.

AD

Derkach, who is the son of a former KGB officer and says in his official biography that he attended the now-renamed Higher School of the KGB in Moscow, also appeared on Giuliani's podcast in New York in February. Since then, Derkach has said his U.S. visa was revoked.

Giuliani, who has worked as Trump's unpaid personal attorney since 2018 and was recently tapped by the president to negotiate with the presidential debate commission, said he would be concerned if Derkach had obtained the tapes from the Russians.

But, Giuliani said, the lawmaker "doesn't seem pro-Russian to me."

Asked about Derkach's background, Giuliani said: "I don't depend on his credibility. I depend on the credibility of his documents."

AD

Derkach declined to be interviewed. In a statement, he said allegations that he is working in the interests of foreign intelligence services are attempts to pressure him into stopping his activity. “There is not a single confirmed or reliable fact of my illegal activity or wrongful connections,” he said.

Asked whether he discussed the tapes with Giuliani during their meetings, Derkach did not answer directly. “We discussed available information on international corruption and the need to investigate it in the United States,” he said.

## Foreign interference redux

The hunt by the president’s allies for the Biden tapes and their subsequent release have echoes of the 2016 campaign, when Trump publicly asked Russia to find emails of his Democratic rival Hillary Clinton. Trump later said the comment was a joke, even as GOP operatives mounted a serious but unsuccessful operation to obtain her emails from hackers claiming to have them.

AD

Democratic emails stolen by Russian intelligence officers were ultimately released through WikiLeaks, as special counsel Robert S. Mueller III detailed in his report.

The sequence of events sparked a nearly two-year investigation, multiple congressional inquiries and federal charges against 12 Russian military intelligence officers.

U.S. intelligence officials have warned that Russia could reprise its 2016 efforts to influence the race for the White House in 2020.

In January, the Ukrainian gas company whose board used to include Biden's son said that it had been hacked by Russian spies, raising fears the Kremlin could be intending to release stolen material to sway U.S. voters in coming months.

AD

Giuliani said he would welcome new material about Biden in Ukraine, but he said he wasn't aggressively seeking it, as he had been last year. Any new revelations, he added, should not be dismissed even if Russia may be involved.

"The strange thing is what the Russians put out last time — it may have been illegal how they obtained it, but it was all true," Giuliani said.

Michael Carpenter, a Biden foreign policy adviser and former senior Defense

Department official, called the tape snippet that Donkirk is releasing "a KGB style

Department official, called the tape snippets that Derkach is releasing a KGB-style disinformation operation tied to pro-Russian forces in Ukraine whose chief aim is to make deceptive noise in the U.S. election campaign to advance the interests of their oligarchic backers, the Kremlin, and the faltering Trump campaign.”

Ukrainians with a variety of competing political and personal agendas have claimed to be releasing or publicizing the Biden tapes, moves critics say align with both Russia’s and Trump’s interests.

In addition to Derkach, they include former Ukrainian prosecutor Kostiantyn Kulyk, former Ukrainian diplomat Andrii Telizhenko and Ukrainian gas tycoon and former lawmaker Oleksandr Onyshchenko, who all have interacted with Giuliani or his associates. Some have promised more leaks are coming to help Trump later in the year.

“This summer, there will be more release of conversations, with full transcripts,” said Telizhenko, who said he speaks regularly with Giuliani in between aiding various Ukrainian tycoons, some of them with Russian interests. Telizhenko said he is working independently from Derkach, noting: “I’m going to release everything all together when the time is right.”

Onyshchenko told The Post that the tapes that have been released are his, part of a cache he said he obtained from Poroshenko aides.

He told the Russian state news service Sputnik in late May that his lawyers and Giuliani’s team had “exchanged hundreds of emails,” and that he has handed over materials about Biden, which he said Trump’s allies will make use of in the fall.

“Because of the coronavirus, they are waiting,” Onyshchenko told Sputnik. “But in September, closer to the elections, they will begin to use them more.” He told The Post the materials were being given to the Republican-led Senate Homeland

Security Committee, which is pursuing an inquiry into Biden’s activities in Ukraine.

Security Committee, which is pursuing an inquiry into Biden's activities in Ukraine.

A spokesman for the committee did not respond to a question about whether the panel has received such tapes or plans to use them.

Like Derkach, Onyshchenko is a former member of the now-defunct Party of Regions, a pro-Russian political party in Ukraine. He has been waging a multiyear campaign against Poroshenko since fleeing Ukraine on corruption charges he says are fabricated.

Onyshchenko has said that he has tried to tell U.S. authorities about his corruption accusations against Poroshenko various times. Poroshenko references - Onyshchenko twice in the leaked calls with Biden, telling the vice president that the exiled lawmaker holds a Russian passport and is working in Russia's interests to destabilize Ukraine. Biden appears in one snippet to reassure Poroshenko that the FBI is not working with Onyshchenko.

When asked for comment on Poroshenko's accusation that he's advancing Russian interests, Onyshchenko said the former Ukrainian leader accuses everyone who is against him of doing the Kremlin's bidding. Onyshchenko said he is speaking out because the former Ukrainian president "destroyed my life."

While the recordings released in Ukraine have received little attention in most mainstream U.S. news outlets, they are being heavily promoted by One America News, which has more than 700,000 followers on Facebook and some 900,000 on Twitter.

Carpenter, the Biden adviser, has accused OAN of being "the preferred conduit for Kremlin disinformation in the 2020 cycle."

One of its correspondents, Chanel Rion, traveled around Europe last year with

Civilians to film Ukrainians who made accusations against Biden, many of them

Giuliani to him Ukrainians who made accusations against Biden, many of them unproven or spurious.

In a program that aired last month, Rion said she had received 10 hours of recordings related to Biden from the “Ukrainian secret service” and “a source who was present during some of those recordings.” She said she would be pursuing the story “well past the summer and into the fall.”

The Department of the State Guard, Ukraine’s version of the Secret Service, said in a statement that it “does not make any recordings and has never recorded any conversations of the state guarded public officials.”

An OAN spokeswoman did not respond to a request for comment. In its stories, the network has suggested that accusations that Russia is promoting the allegations against Biden are efforts to distract from the story.

## 'We knew about these tapes'

Biden made five trips to Ukraine during the last three years of the Obama administration and held at least 70 phone calls with Ukrainian leaders, as The Post previously reported. Most of his calls were with Poroshenko in an effort to shore up the fledgling pro-Western government against Russia.

The recently released recordings, which Derkach has said he obtained from “investigative journalists,” appear to feature conversations the two men had at the time. But if they are authentic, it is unclear who made them.

It is possible Poroshenko aides taped the calls he had with Biden. Russian intelligence agencies have intercepted the phone calls of U.S. officials in Ukraine in

intelligence agencies have intercepted the phone calls of U.S. officials in Ukraine in the past.

In an interview in May, Parnas said he and his colleague Igor Fruman were told by sources in Ukraine of the Biden-Poroshenko recordings, along with a number of other recordings Ukrainians claimed existed of Americans, including embassy officials in Kyiv.

“We knew about these tapes,” Parnas said.

Parnas and Fruman were arrested in October and charged with making illegal campaign contributions, including from foreign sources, to Republican candidates and political action committees. They both pleaded not guilty and are awaiting trial.

After his arrest, Parnas turned on Giuliani and Trump, saying the president had blessed their endeavors in Ukraine. The White House has dismissed his claims as false.

Parnas told The Post that he and Fruman discussed the recordings with then-Ukrainian Prosecutor General Yuri Lutsenko and Kulyk, a former Ukrainian prosecutor who has been working with Derkach and appearing alongside him at news conferences releasing the recordings.

In a statement, Lutsenko said he “never discussed, provided or promised to provide any recordings to Giuliani or his colleagues.” Kulyk declined to answer directly, dismissing the question as lacking credibility.

Parnas said that at one point during a trip to Kyiv in spring 2019, he anticipated being provided copies of some of the recordings to bring back to the United States. But, he said, Ukrainian officials did not ultimately hand them over at the time.

After the trip, Parnas said, he and Fruman discussed the elusive recordings with Giuliani at strategy sessions they held at the BLT restaurant at the Trump International Hotel in Washington.

Victoria Toensing, a conservative lawyer who attended some of those sessions, said she did not recall the discussions but did not dispute that Parnas may have told the group about tapes.

“Lev is a fast talker,” she said. “He was always telling us, ‘There is Biden stuff.’ It would go in one ear and out the other.”

Giuliani was particularly interested in obtaining tapes of calls that Biden made to Poroshenko in early 2016 to feed his claims that the former vice president used his office to protect the business interests of his son Hunter, according to Parnas.

Giuliani has asserted without evidence that Biden pushed for Ukraine’s prosecutor general to be fired because Hunter Biden was serving on the board of Burisma, a Ukrainian gas company owned by a former government minister whom Ukrainian authorities were investigating.

In fact, at the time, Biden was serving as the lead voice in a coalition of U.S. and European officials, including top Republicans, who were sharply critical of the prosecutor general’s office for failing to go after high-level corruption cases and thwarting the probe of an episode in which lower-ranking officials were found with diamonds and cash thought to be bribes.

Among the cases that the United States argued had not received enough attention: an inquiry into the owner of Burisma.

In late 2015, Biden delivered a blunt message to Poroshenko: Unless the prosecutor’s office got a new leader, a \$1 billion loan guarantee for the Ukrainian

government wouldn't be forthcoming. The prosecutor general agreed to resign.

In the recordings that Derkach released, Biden can be heard urging Poroshenko to fire the prosecutor general. At one point, Poroshenko defends the top prosecutor, saying there was "no information" he had done anything wrong, but said he asked for the prosecutor's resignation as part of his promise to the U.S. vice president.

In an interview with CNN's Fareed Zakaria last month, Poroshenko said that Biden never brought up Burisma in their many conversations. "My absolutely clear answer: No, never," Poroshenko said.

Ruslan Ryaboshapka, who served as Ukraine's prosecutor general until March, conducted a full audit of all the criminal cases in Ukraine involving the company and told The Post he found no evidence of illegal acts by Biden or his son.

Giuliani told The Post that his pursuit of the Biden-Poroshenko calls was aided by someone inside the State Department.

"A guy at the State Department who gave us a lot of information" consulted the archive of conversations between American leaders and their counterparts overseas to identify three conversations in February 2016 during which Biden mentioned the prosecutor general's name in conversations with Poroshenko, he said.

"He didn't show it to us but told us they existed," Giuliani said of the State Department official. "He said, 'I guarantee there are three conversations on February 15, 17 . . . one of them is quite lengthy. It's between Biden and Poroshenko. There are transcripts of them, but they are classified.'"

Giuliani declined to name the State Department official. A spokeswoman for the

State Department did not respond to requests for comment.

Giuliani said last year that he regularly kept the president abreast of his efforts in Ukraine, but it is unclear whether Trump knew about the hunt for the tapes.

When pressed in May if he specifically mentioned the recordings to the president, Giuliani declined to comment.

The White House did not respond to a request for comment on whether Trump knew his lawyer was seeking tapes of Biden in Ukraine.

But one witness during the House impeachment hearings said that Trump made an allusion to tapes of the former vice president.

Lt. Col. Alexander Vindman, a Ukraine expert who served on the National Security Council, testified that he heard Trump refer to recordings of Biden during his July 25, 2019, phone call with Ukrainian President Volodymyr Zelensky, the conversation that set in motion the impeachment investigation.

According to a rough transcript of the call released by the White House, Trump told Zelensky: “Biden went around bragging that he stopped the prosecution, so if you can look into it.”

Vindman testified that his own notes, which he took while listening to the call, show that Trump added, “There are recordings.”

That phrase was not included in the call’s official transcript. Vindman testified that he notified his superiors of the omission when the transcript was circulated internally for review, but that no changes were made.

Vindman was uncertain what Trump meant by “recordings,” his lawyer said recently.

At the time, his description of Trump's mention of "recordings" on the call was widely assumed to be a reference to the tape of a public speech Biden delivered in 2018 bragging that he had held up loan guarantees to Ukraine until the prosecutor general was fired.

*Tom Hamburger contributed to this report. Stern reported from Kyiv.*

## Election 2020: What to know

Updated July 19, 2020

Presumptive Democratic nominee Joe Biden has a double-digit lead over President Trump in the latest Washington Post-ABC News poll, and the election seems like it will be a referendum on Trump. The president faces rising disapproval and widespread distrust on his handling of the coronavirus pandemic.

Trump's attacks on mail voting are turning Republicans off absentee ballots. Rules on voting changed quickly in many states for the primaries, but the battle for how Americans will vote in the general election is just heating up. Barring a landslide, we may not have a result in the presidential election on Nov. 3. See what elections are coming up and which have moved.

Who do you think Joe Biden's VP pick should be?

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# The Washington Post

Democracy Dies in Darkness

## GOP tries to connect dots on Biden and Ukraine, but comes up short

By **Glenn Kessler**

Dec. 4, 2019 at 3:00 a.m. EST

*“Did you know that Joe Biden called Ukrainian President Poroshenko at least three times in February 2016 after the president and owner of Burisma’s home was raided on February 2nd by the state prosecutor’s office?”*

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— **Rep. Devin Nunes (R-Calif.), senior Republican on the House Intelligence Committee, in a question directed at witnesses at the impeachment inquiry, Nov. 19, 2019**

*“It is my understanding that on February 4, 2016, the Ukrainian Prosecutor*

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AD

— **letter from Sen. Lindsey O. Graham (R-S.C.), chairman of the Senate Judiciary Committee, to Secretary of State Mike Pompeo, Nov. 21, 2019**

President Trump has falsely claimed that then-Vice President Joe Biden pressured the Ukrainian government to fire Shokin, the top Ukrainian prosecutor, because he was investigating Ukraine's largest private gas company, Burisma, at a time when Hunter Biden was on the Burisma board. In fact, the opposite is true — Joe Biden was carrying out administration policy, coordinated with European allies, to press for the removal of Shokin because he was *not* investigating corruption.

These facts have not stopped Trump's Republican defenders from trying to prove Trump correct. In recent weeks, senior lawmakers have suggested that there was a nefarious connection between a "raid" in February 2016 on the home of the founder of Burisma, Mykola Zlochevsky, and calls that Biden made at the time with Ukraine's president at the time, Petro Poroshenko.

AD

Graham has made this alleged connection the start of an investigation he has launched into Biden and his son, demanding records and transcripts of Biden's calls to Ukraine that month.

The Fact Checker was suspicious of these claims because it had been our understanding that the investigation of Zlochevsky was largely dormant at the time of Biden's diplomacy. Indeed, the U.S. ambassador at the time had singled out mismanagement of the Zlochevsky case as an example of Ukraine's failing to hold corrupt officials to account.

Working with our colleagues Michael Birnbaum and David L. Stern, who discussed the case with sources while reporting in Kyiv, we've determined that this alleged connection is based on a misunderstanding of what took place in the Ukrainian courts.

## The Facts

Zlochevsky had served in top Ukrainian government positions in the country's energy sector and had transformed himself into one of the country's richest men. In the process, he has faced years of legal troubles and allegations of corruption, which he has denied. Britain once froze \$23 million of his assets, but he was not charged with any crimes and the freeze was eventually lifted.

Zlochevsky was also under scrutiny by Ukrainian prosecutors. On Aug. 5, 2014, the Prosecutor General's Office (PGO) initiated case 42014000000000805 regarding "large-scale" illicit enrichment and money laundering allegedly committed by Zlochevsky, according to a timeline provided to Birnbaum by the Anticorruption Action Center (AntAC), a leading anti-corruption group.

After briefly transferring the case to the Ministry of Internal Affairs, on Dec. 29, 2014, the PGO issued a notification of suspicion to Zlochevsky regarding the allegations. AntAC reports that prospects for success were "low from the very beginning" because the statutes for "illicit enrichment" required a high burden of proof to show that assets were proceeds of bribery. (Ukrainian journalists say that making the case briefly a police matter led to the unfreezing of Zlochevsky's assets in Britain.)

Nevertheless, on Feb. 2, 2015, the Prosecutor General's Office seized personal property attributed to Zlochevsky but legally owned by his family, including a mansion, a luxury car and plots of land, according to AntAC. The court order was not published, but journalists eventually exposed what had happened later in 2015.

AD

Now here's where it gets complicated. On Nov. 10, 2015, the Ukrainian parliament adopted a law amending the procedure for asset seizures, requiring higher standards of proof. The law came into force in December, and Zlochevsky appealed the seizure.

In the meantime, that same month, the PGO tried to send its cases to another prosecutorial entity, the National Anti-Corruption Bureau of Ukraine (NABU), which is funded with U.S. and European aid and received technical support from the FBI. "NABU received tons of files in December 2015, just as their jurisdiction was starting," said Daria Kaleniuk, the head of AntAC.

(During a December visit to Kyiv, Biden had addressed the Ukrainian parliament and decried the "cancer of corruption" in the country. "The Office of the General Prosecutor desperately needs reform," he said. During that visit, he also privately urged Poroshenko to fire Shokin.)

AD

“There was a window of a few weeks when Zlochevsky’s lawyers sued to unseize the assets,” Kaleniuk told Birnbaum. “The court unseized the assets in December when the case was in between jurisdictions. The prosecutors didn’t even show up,” because they had no jurisdiction, since the case had been transferred from Shokin’s oversight, in the prosecutor general’s office, to NABU.

So, on Dec. 25, 2015, the seizure was canceled. But the court order was not published until Jan. 27, 2016, and it prompted a public outcry, according to AntAC. So the PGO scrambled to get it reinstated, and the order was published Feb. 4, 2016.

When we asked Graham’s office why he thought there was a raid in February 2016, his office pointed us to a news account of the second court order. The article, however, references property “seized under the previous court ruling.”

AD

In other words, there was largely a technical reinstatement of a court order that already had been in place for at least a year. Matching up the assets listed in the July 2015 report and the February 2016 report, the main difference we see is the inclusion in 2016 of a Rolls-Royce and a trailer, though AntAC reports a luxury car was seized in 2015.

Later in 2016, on Nov. 1, the seizure was canceled after the PGO closed the case, according to AntAC. The case over time had been turned into an investigation of possible tax avoidance, and a Burisma subsidiary paid back taxes.

As for Biden's phone calls, the Obama administration regularly provided detailed readouts of the calls, so the topics are well-documented.

AD

**Feb. 11:** Biden spoke to Poroshenko by phone. "The two leaders agreed on the importance of unity among Ukrainian political forces to quickly pass reforms in line with the commitments in its IMF program, including measures focused on rooting out corruption," the White House said.

**Feb. 18:** Another call took place between Biden and Poroshenko, two days after the president had announced he had asked Shokin to resign. "The Vice President also commended President Poroshenko's decision to replace Prosecutor General Shokin,

which paves the way for needed reform of the prosecutorial service,” the White House said in a statement.

**Feb. 19:** Poroshenko announced he has received Shokin’s resignation letter. That same day, Biden spoke separately to Poroshenko and Prime Minister Arseniy Yatsenyuk. “He urged Ukraine’s leadership to unite and rebuild popular trust around a strong governing coalition and reform program, and to accelerate Ukraine’s efforts to fight corruption, strengthen justice and the rule of law, and fulfill its IMF requirements,” the White House said.

AD

“I listened in to all the February calls. Until Nunes floated his wacky conspiracy theory, I’d never heard of the ‘raid’ — and nothing related to Burisma or Zlochevsky came up in any of those calls,” Colin H. Kahl, Biden’s national security adviser at the time, told The Fact Checker. “Unlike the current administration, we always read out our calls, and the call readouts captured the major topics of the conversations.”

Anna Makanju, Biden’s senior policy adviser for Ukraine at the time, also listened to the calls and said release of the transcripts would only strengthen Biden’s case

that he acted properly. She helped Biden prepare for the conversations and said they operated at a high level, with Biden using language such as Poroshenko's government being "nation builders for a transformation of Ukraine."

A reference to a private company such as Burisma would be "too fine a level of granularity" for a call between Biden and the president of another country, Makanju told The Fact Checker. Instead, she said, the conversation focused on reforms demanded by the International Monetary Fund, methods to tackle corruption and military assistance. An investigation of "Burisma was just not significant enough" to mention, she said.

Pavlo Klimkin, Ukrainian foreign minister from 2014 until Aug. 29, 2019, told Birnbaum that the firing of Shokin was universally urged by Ukraine's benefactors. "The demand came not just from the U.S., and not just from Biden," he said. "I heard it in every meeting with the international financial institutions, especially the IMF and World Bank. It was not just Biden. Clearly."

We reported our findings to Graham's aides on the Senate Judiciary Committee and to a spokesman for Nunes on the House Intelligence Committee but did not receive an immediate response. Instead, out of the blue we received a phone call from John Solomon, a former Washington Post reporter who apparently was the source for Republicans. He said two people from Capitol Hill had alerted him to our inquiry.

Solomon acknowledged that there had been a seizure of assets in 2015 but said that on the basis of his interviews, such as with Shokin, and a review of court files, he believes some new assets were seized in February 2016. "My understanding is there was a reseizure and a new seizure of assets," he said. "There was back and forth [in the courts], sure."

Solomon added: "I am very careful to use the word 'seizure.' I don't use the word

‘raid.’ ”

“The purpose of our investigation is to find out the truth of what the son of a former vice president of the United States was doing on the board of a Ukrainian gas company who was paying him \$50,000 a month,” said Taylor Reidy, spokeswoman for the Senate Judiciary Committee. “He didn’t have any known experience in Ukraine or the oil and gas industry. But the company did appear to be running into legal issues regarding corruption. Our letter was the first step in our investigation, not the last. We expect additional requests for information as we learn more about these interactions and what was happening among the stakeholders.”

## The Pinocchio Test

Republicans are clearly trying to connect some dots to give an impression of malfeasance by Biden. But they are looking at the wrong dots. Nothing significant appears to have happened in February 2016 except primarily the reinstatement of a previous court order. Instead, Zlochevsky’s assets had been seized a year earlier and were only briefly not under a court order because of a prosecutorial error.

In other words, there would have been no reason for Biden to raise the supposed raid of Zlochevsky’s home in his phone calls. Moreover, as we’ve shown, Biden’s aides at the time say that neither Burisma nor Zlochevsky was raised in the calls.

Graham and Nunes earn Four Pinocchios.

## Four Pinocchios

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# United States Senate

WASHINGTON, DC 20510

December 3, 2019

Ms. Karen Tramontano  
Chief Executive Officer  
Blue Star Strategies  
888 17th Street, NW, Suite 800  
Washington, DC 20006

Dear Ms. Tramontano:

The Senate Homeland Security and Governmental Affairs Committee and the Committee on Finance (Committees) are investigating whether certain officials within the Obama administration had actual or apparent conflicts of interest because of Hunter Biden's role in Rosemont Seneca and related entities, or as a board member of Burisma Holdings (Burisma). In addition, the Committees are reviewing whether Hunter Biden or his associates had any role in the formulation of the Obama administration's policies with respect to Ukraine. Recent reports indicate that Blue Star Strategies (Blue Star) sought to leverage Hunter Biden's membership on the board of directors for Burisma in its communications and meetings with various U.S. government officials at the same time his father, then-Vice President Joe Biden, served as the "public face of the administration's handling of Ukraine."<sup>1</sup> Accordingly, as part of the Committees' inquiry, we write to request information with regard to Blue Star's work for Burisma.

A recent report indicates that, in November or December 2015, Blue Star officials met with Amos Hochstein, then-senior advisor to Vice President Biden on international energy affairs, and invoked Hunter Biden during a discussion of Burisma.<sup>2</sup> The report describes Mr. Hochstein as "a vocal proponent of Ukraine cracking down on Burisma," and explained that the purpose of the meeting was for "Blue Star Strategies [] to convince Hochstein (but [it] did not) that Burisma was on the level and did not warrant further investigation."<sup>3</sup>

Additional documents demonstrate how Blue Star used Hunter Biden's board membership to gain access and potentially influence matters at the State Department. In a February 24, 2016, email with the subject line "Burisma," a State Department official wrote:

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<sup>1</sup> Susan Crabtree, *Joe Biden emerges as Obama's trusty sidekick*, Wash. Examiner, Apr. 25, 2014, <https://www.washingtonexaminer.com/joe-biden-emerges-as-obamas-trusty-sidekick>.

<sup>2</sup> Tiana Lowe, *Joe Biden adviser Amos Hochstein took meetings with Burisma-hired lobbying firm*, Wash. Examiner, Nov. 7, 2019, <https://www.washingtonexaminer.com/opinion/joe-biden-adviser-amos-hochstein-took-meetings-with-burisma-hired-blue-star-strategies>.

<sup>3</sup> *Id.*

Per our conversation, Karen Tramontano of Blue Star Strategies requested a meeting to discuss with [Under Secretary] Novelli [U.S. Government] remarks alleging Burisma (Ukrainian energy company) of corruption. **She noted that two high profile U.S. citizens are affiliated with the company (including Hunter Biden as a board member). Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that the company is corrupt.** According to Tramontano, there is no evidence of corruption, has been no hearing or process, and evidence to the contrary has not been considered. Would appreciate any background you may be able to provide on this issue and suggested TPs for U/S Novelli's meeting.<sup>4</sup>

On March 1, 2016, Blue Star reportedly met with Under Secretary Novelli, and in April 2016 Blue Star reportedly met with Ukrainian prosecutors.<sup>5</sup> According to what appears to be contemporaneous notes by one of those Ukrainian prosecutors during the April 2016 meeting, Blue Star apologized about allegedly "false information" promoted by the U.S. Government about the prosecutors' handling of the investigation of Burisma.<sup>6</sup>

To assist the Committees' examination of the role that Hunter Biden and individuals within the U.S. government may have played with regard to lobbying for Burisma, we respectfully request the following information:

1. With respect to Blue Star's work for Burisma, please provide:
  - a. A description of how, and through whom, Blue Star first became aware of Burisma;
  - b. Blue Star's contract with and all other documents describing its relationship with Burisma;
  - c. The date Blue Star began work for Burisma;
  - d. The date for when Blue Star ended work for Burisma, if applicable;
  - e. A description of the services Blue Star provided Burisma;
  - f. The names and titles of all Blue Star employees, including contractors, that worked on matters relating to Burisma;

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<sup>4</sup> John Solomon, *Hunter Biden's Ukraine gas firm pressed Obama administration to end corruption allegations, memos show*, johnsolomonreports.com, Nov. 4, 2019, <https://johnsolomonreports.com/hunter-bidens-ukraine-gas-firm-pressed-obama-administration-to-end-corruption-allegations-memos-show/> (emphasis added).

<sup>5</sup> John Solomon, *These once-secret memos cast doubt on Joe Biden's Ukraine story*, The Hill, Sept. 26, 2019, <https://thehill.com/opinion/campaign/463307-solomon-these-once-secret-memos-cast-doubt-on-joe-bidens-ukraine-story>; Tiana Lowe, *Joe Biden adviser Amos Hochstein took meetings with Burisma-hired lobbying firm*, Wash. Examiner, Nov. 7, 2019, <https://www.washingtonexaminer.com/opinion/joe-biden-adviser-amos-hochstein-took-meetings-with-burisma-hired-blue-star-strategies>.

<sup>6</sup> *Id.*

- g. The names and titles of Burisma employees that worked with Blue Star employees or contractors;
  - h. The dates and descriptions, including a list of attendees, of all meetings between Blue Star representatives and Ukrainian officials regarding Burisma; and
  - i. The dates and descriptions, including a list of attendees, of all meetings about or related to Burisma between Blue Star representatives and U.S. officials. This includes, but is not limited to, the State Department, the Office of the Vice President, and the Executive Office of the President.
2. Please provide all records<sup>7</sup> between and among Blue Star and U.S. officials relating to its representation of Burisma. This includes, but is not limited to, the State Department, the Office of the Vice President, and the Executive Office of the President.
  3. Please describe Blue Star's document and email retention policies from 2014 to present.

Please provide a response as soon as possible but no later than December 17, 2019. As part of that response, please also confirm in writing Blue Star's ongoing obligation to preserve all records relevant to these matters.

Thank you for your prompt attention. Should you have any questions, please contact Brian Downey or Scott Wittmann of Chairman Johnson's staff at 202-224-4751 and Joshua Flynn-Brown of Chairman Grassley's staff at 202-224-4515.

Sincerely,



Ron Johnson  
Chairman  
Committee on Homeland Security  
and Governmental Affairs



Charles E. Grassley  
Chairman  
Committee on Finance

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<sup>7</sup> "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

# Statement On the Ukrainian-American Strategic Partnership

23 May, 20:11

***Kyiv Security Forum expresses gratitude to the distinguished Ukrainian politicians, diplomats and civic activists for their support of the appeal to the American leaders and society on the importance of protecting the Ukrainian-American strategic partnership.***

## **Statement On the Ukrainian-American Strategic Partnership**

We, the representatives of Ukrainian politics, civil society, and the expert community, are deeply concerned to watch a campaign to involve Ukraine in the political competition in the United States unfold with renewed vigor.

Ukraine greatly appreciates the steadfast support of the American people for our independence, security, and Western course.

Our nations share the common values of national and human freedom.

The combined efforts of the two largest political parties in the United States and all concerned Americans to defend Ukraine are a major historical contribution to the creation of a united Europe and a just world order.

We call on American leaders to distinguish between the position of new Ukraine, which stands for the unity of the West and acts to unite democracies around the world, and those forces that seek to turn the political developments in our country into a toxic narrative to sow discord among our partners.

We oppose the dishonest attempts to use the political controversies in the United States. We do not choose any side, but support each of them in the same way that they together help Ukraine's independence.

We call on America's leaders to distinguish between the position of our nation from the actions of politicians instigated by Moscow.

We condemn hostile provocations aimed at alienating our nations.

We believe in the strategic partnership between Ukraine and the United States.

Let us not allow mutual distrust and doubt to erode this great and lasting relationship.

Let us stand together in times of great trials.

*Signed on May 22-23, 2020*

\* \* \*

**Arseniy Yatsenyuk**, Chairman of the Kyiv Security Forum, Prime Minister of Ukraine (2014-2016).

**Oleksandr Turchynov**, acting President of Ukraine, Speaker of the Verkhovna Rada of Ukraine (2014), National Security Advisor (2014-2019).

**Oksana Zabuzhko**, writer, National Taras Shevchenko Prize laureate.

**Joseph Zissels**, member of the First of December Initiative Group, member of the Strategic Council of the Movement against Capitulation.

**Myroslav Marynovych**, Vice-Rector of the Ukrainian Catholic University, political dissident and prisoner of conscience under the Soviet occupation, member of the First of December Initiative Group.

**Yevhen Zakharov**, Chairperson of the Kharkiv Human Rights Group, Head of the Board of the Ukrainian Helsinki Human Rights Group, member of the First of December Initiative Group.

**Leonid Finberg**, Director of the Research Center of the History and Culture of Eastern European Jewry at the National University of Kyiv-Mohyla Academy, Editor-in-Chief of the “Dukh i Litera” Publishing house.

**Ihor Kozlovsky**, prisoner of the Russian occupation regime in Donbas, President of the Center for Religious Studies, member of the First of December Initiative Group.

**Lilia Hrynevych**, Minister of Education of Ukraine (2016-2019).

**Volodymyr Vasylenko**, Ambassador Extraordinary and Plenipotentiary, Judge of the International Criminal Tribunal for former Yugoslavia (2001-2005), Representative of Ukraine to the UN Human Rights Council (2006-10).

**Volodymyr Ohryzko**, Ambassador Extraordinary and Plenipotentiary, Minister for Foreign Affairs of Ukraine (2007-2009).

**Danylo Lubkivsky**, Deputy Foreign Minister of Ukraine (2014), member of the Board of Open Ukraine Foundation.

**Ivanna Klympush-Tsintsadze**, Chair of the Parliamentary Committee on Ukraine’s integration into the EU, European Solidarity faction, Deputy Prime Minister for European and Euro-Atlantic integration of Ukraine (2016-2019).

**Yuriy Shcherbak**, Ambassador Extraordinary and Plenipotentiary of Ukraine to Israel (1992-1994), the United States (1994-1998), Canada (2000-2003).

**Oleksandr Motsyk**, First Deputy Foreign Minister of Ukraine (2004-2005), Ambassador Extraordinary and Plenipotentiary of Ukraine to the United States (2010-2015).

**Valeriy Chaly**, Ambassador Extraordinary and Plenipotentiary of Ukraine to the United States (2015-2019), Chair of the Board of the Ukrainian Crisis Media Center.

**Hanna Hopko**, civic activist, Chairwoman of the Parliamentary Committee on Foreign Affairs (2014-2019).

**Roman Bezsmetny**, Ambassador Extraordinary and Plenipotentiary, Vice-Prime-Minister of Ukraine (2005).

**Natalia Popovych**, Co-Founder of the Ukrainian Crisis Media Center, Founder of One Philosophy Group.

**Ivan Vasyunyk**, Head of the Supervisory Board of the International Foundation for the Development of the Holodomor Victims’ Memorial, Vice-Prime-Minister of Ukraine (2007-2010).

**Solomiia Bobrovska**, member of the Verkhovna Rada of Ukraine of IX convocation, Holos / Voice faction.

**Ostap Semerak**, Minister of the Cabinet of Ministers of Ukraine (2014), Minister of Ecology of Ukraine (2016-2019), member of the Verkhovna Rada of Ukraine of VI and VIII convocations.

**Iryna Geraschenko**, member of the Verkhovna Rada of Ukraine of IX convocation, Co-Chair of the European Solidarity faction, First Deputy Speaker of the Verkhovna Rada of Ukraine (2016-2019).

**Serhiy Kvit**, Minister of Education of Ukraine (2014-2016), professor at the National University of Kyiv-Mohyla Academy.

**Svitlana Voitsekhivska**, member of the Verkhovna Rada of Ukraine of VIII convocation, member of the Board of Open Ukraine Foundation.

**Maksym Burbak**, Minister of Infrastructure of Ukraine (2014), member of the Verkhovna Rada of Ukraine of VII and VIII convocations.

**Iryna Friz**, member of the Verkhovna Rada of Ukraine of VIII and IX convocations, European Solidarity faction, Minister of Veterans Affairs (2018-2019).

**Mykola Kniazhytskyi**, journalist, member of the Verkhovna Rada of Ukraine of VIII and IX convocations.

**Maria Ionova**, member of the Verkhovna Rada of Ukraine of VIII and IX convocations, European Solidarity faction.

**Mykola Ryabchuk**, Honorary President of the Ukrainian PEN-Club.

**Myroslava Barchuk**, journalist, member of the Ukrainian PEN-Club.

**Vitaliy Portnykov**, journalist, writer.

**Volodymyr Yermolenko**, philosopher, Chief-editor of UkraineWorld Initiative, analytics director at Internews Ukraine.

**Vakhtang Kebuladze**, philosopher, professor at the Kyiv Taras Shevchenko National University.

**Taras Lyuty**, philosopher, professor at the National University of Kyiv-Mohyla Academy.

**Mykhaylo Basarab**, civic activist, Coordinator of the Movement against Capitulation.

**Victoria Ptashnyk**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Viktor Yelensky**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Borys Potapenko**, Head of International Council in Support of Ukraine.

**Serhiy Vysotsky**, journalist, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Andriy Levus**, civic activist, Coordinator of the Movement against Capitulation, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Oleksandr Sochka**, member of the Verkhovna Rada of Ukraine of VI, VII and VIII convocations.

**Mykhaylo Khmil**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Myroslav Hai**, civic activist, Chairman of the Peace and Co Charitable Foundation.

**Yevhen Bystrytsky**, philosopher.

**Kateryna Smaglyi**, Director of the International Cooperation Department at the Diplomatic Academy of Ukraine's Foreign Ministry.

**Mykola Horbal**, poet, political prisoner under the Soviet occupation.

**Volodymyr Dubrovsky**, economist.

**Borys Zakharov**, Director of "Human and Right" Charitable Foundation.

**Hennadiy Kurochka**, member of the Board of the Ukrainian Crisis Media Center.

**Oleksiy Panych**, philosopher, member of the Ukrainian PEN-Club.

**Valeriy Pekar**, Lecturer of Kyiv-Mohyla Business School.

**Kostyantyn Sigov**, philosopher, civic activist, Chair of the Center of the European Humanitarian Studies at the National University of the Kyiv-Mohyla Academy.

**Hennadiy Buryak**, Deputy Director of the National Institute of the History of Ukraine.

**Oleksandr Skipalsky**, Lieutenant General, Honorary President of the Veterans Society of the Intelligence Community.

**Anatoliy Podolsky**, Director of the Ukrainian Center of the Holocaust Studies.

**Ukrainian Crisis Media Center**.

## Unified Kent Transcript Errata

- HSGAC Majority

Page	Line	Correction
30	19	Strike “show off” and replace with “stop”
64	9	Strike “They” and replace with “Then”
98	6	Strike “nit” and replace with “it”
100	15	Strike “DNCN” and replace with “DNC”
101	10	Strike “Wittman” and replace with “Wittmann”
103	7	“Strike “h ow” and replace with “how”
103	23	Strike “quote”
105	8	Strike “quote”
105	11	Strike “end quote”
111	15	Strike “quote”
113	13	Strike “quote”
113	13	Strike “very stickit wicket—I’m sorry”
116	6	Strike “quote”
116	16	Strike “quote”
119	17	Strike “quote”
121	22	Strike “quote”
122	6	Strike “quote”
169	13	Strike “quote”
169	16	Strike “quote”
169	17	Strike “end quote”
180	16	Strike “on” and replace with “in”
188	12	Strike “2016” and replace with “2015”
199	9	Strike “lot” and replace with “look”
224	21	Strike “USC” and replace with “NSC”
232	13	Strike “quote”
233	21	Strike “quote”
239	4	Strike “quote”

- Finance Majority

Page	Line	Correction
109	1	insert “want” between “just” and “to” such that it reads “I just want to be clear about your”
110	16	replace “based” with “base”
121	12	Check the tape. Insert “on the board” after “individuals” such that it reads “individuals on the board.”
274	11	Strike “of” and insert “that” such that it reads “Regarding your determination that Hunter Biden being on”

275	15	Strike “her” and insert “here”
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- HSGAC Minority

Page	Line	Correction
Throughout		“Zach” should be spelled “Zack”
7	4-7	delete
7	11	“Member’s staff for the Homeland Security and Governmental”
8	3	“believe” should be “believes”
9	18-10;11	delete
11	9	change “treat” to “create”
11-12	24-12	delete
19	1	change “as” to “at”
20	9	change “Loches’s” to “Zlochevsky’s”
21	5	change “Loches’s” to “Zlochevsky’s”
25	18	we to went
26	16	delete “we had given,”
48	11	specifically to specific
50	13	nothing to noting
50	14	“as far as, you know” should be “as far as I know”
58	15	delete “was—”
58	16-17	delete “the letter, which—”
72	16	delete “so”
73	16	delete “But it's fair to say that the general—”
74	17	delete “so”
76	10	delete “so”
82	22-24	delete
83	10	add “it” after “staff”
84	12	“ow” to “own”
85	25	add “a” between “raises” and “question”
86	3-6	delete everything following “Burisma”
86	7	delete “So just, yeah,”
87	19	add comma after “on” and delete “to”
88	22	delete “is a”
89	20	“from” should be “form”
90	16	delete “this—that”
132	3	“was” should be “is”
132	8	“decision” should be “decisions
132	15	delete “the” between “in” and “Ukraine”
134	17	delete “it’s”
135	8-9	delete
138	1	delete “first--the”
138	1	insert an apostrophe after “Members”
138	1	insert “staff” after “Members”

139	9	“unauthorizing” should be “authorizing”
147	13	“offices” to “watches”
152	25	“FERA” to “FARA”
156	25	“RADA” to “Rada”
168	14	delete “but neither—”
262	10	“step” should be “steps”
265	19	insert “the” before “minority”
266	1	“as” should be “it”

- Finance Minority

Page	Line	Correction
8	19	"Josh Health" should read "Josh Heath"
91	8	"event" should read "events"
182	20	"don't understand" should be "don't understand,"
249	11	"quote" should be "close"

- Counsel

Page	Line	Correction
11	9	“treat” should be “create”
15	15	“place” should be “placed”
15	19	Change “Kiev” to “Kyiv”
16	7	Change “NAG” to “energy”
16	10	“attempt” should be “attempted
17	16	“administration” should be “administrations”
17	23	“Eastern” should be “eastern” (not capitalized)
18	4	change “sided” to “far-sighted”
18	16	Change “Donbass” to “Donbas” (one s - Ukrainian and USG spelling)
19	1	Change “as” to “at”
20	9	Change “Loche’s” to “Zlochevsky’s”
20	18	Change “Kiev” to “Kyiv”
20	24	Change “Odessa” to “Odesa” (one S - Ukrainian and USG spelling)
21	5	change “Loche’s” to “Zlochevsky’s”
24	8	Change “were” to “was”
25	18	Change “we” to “went”
26	3	“our” should be “its” and add “government” after “United States

26	16	Delete the second “,we had, given” so that text reads “we had, given the...”
26	24	Add comma after “been”
27	7	Change “USIAI” to “USAI”
27	8-9	Delete the commas after “who” and after “Government”
27	12	Change “Kiev” to “Kyiv” (Ukrainian and official USG spelling)
27	15	Add a comma after “parliament”
28	11	Change “Andreii” to “Andriy”
29	17	Change “form” to “forum”
29	23	Change “it’s” to “its”
32	6	Change “point” to “points”
33	8	Change “from” to “for”
35	16	Add “on” after “recovered”
35	16	Change the comma to a double dash
36	1	Add “the” before Central; and “the” before National
36	3	Change the first comma to a semi-colon; add “the” before “floating”
36	5	Cut “a” before good
36	18	Add a coma after “conditions”
36	21	Change “Development and” to “The Development”
37	8	Change the comma to a double dash
37	11	Cut “the” before GDP
37	16	Delete “an investigate”
37	25	Change “times” to “time”
43	8	Add “In” after the period and before “my”
43	15	Change “Kiev” to “Kyiv” (USG and Ukrainian spelling)
44	14	Drop “sort of”
44	21	Change “Kiev” to “Kyiv”
45	3	change “what” to “when”
45	17	Change “Kiev” to “Kyiv”
46	2	“Kiev” to “Kyiv”
47	13	Add “The” before the second mention of FBI

47	16	add “the” before “Legal”
47	17	Add “an” before FBI
48	6	Add “they” before “had”
48	11	“specifically” should be “specific”
48	17	Add comma after “attaché”
49	5	Drop coma after “Office”
49	13	Change “to” to “in”
49	18	Change “on” to “or” and “abroad” to “a decision”
52	3	Add “was” before “handed”
52	18	Change “statements” to “statement”
53	24	“Kiev” to “Kyiv”
54	23	add “written” before “to chat”
55	14	Change “odessa” to “Odesa” (one S)
59	22	Change “16” to “2016”
61	10	Add “in” after “goons”
62	2	Change “that’s your optimists” to “the EuroOptimists.” Change “reformers” to “reformist”
62	4	Change “that” to “who”
62	5	Drop “the” before “USAID”
62	9	Change “accidence” to “accident”
62	16	Add “USAID” before “mission”
63	16	“attached” should be “attacked”
72	9	Add “a” before “corrupt”
73	3	“Kiev” to “Kyiv”
75	9	Change “known” to “know”
76	19	Change “it” to “Ukrainians”
78	16	Change “Andrei” to “Andriy”
81	17	Add “of” before “dubious”
84	12	Change “ow” to “own”
84	20	Delete “that’s I” and replace with “why”
84	21	Change “perils of” to “peril as a” and add “of” after “because”
84	22	Drop “are” after “people”
95	15	“Kiev” to “Kyiv”

102	17	Change “enforcements section” to “enforcement sections”
103	7	Take out space in “ho w”
103	21	Change “I” to “in”
105	6	Change “And” to “Even in”
105	7	Add “in” after “hazard”
105	13	Add “the” before “Economic”
106	20	“Kiev” to “Kyiv”
107	3	“Kiev to “Kyiv”
107	14	“Kiev” to “Kyiv”
108	4	“Kiev” to “Kyiv”
108	8	Capitalize “Research Associates” (s on end of associate)
116	19	“Kiev” to “Kyiv”
120	12	Add “I” after “if”
120	25	Change “It’s” to “It”
122	1	Change “counsel” to “counselor”
122	10	Add a comma after “program”
123	17	Change “where” to “were”
123	18	Change “where” to “were”
126	21	“Kiev” to “Kyiv”
128	20	“Kiev” to “Kyiv”
129	4	Delete the second “and got”
129	20	Change “be stepped” to “step” (down)”
130	20	Change “Andre” to “Andriy”
138	23	Change “Andrii” to “Andriy”
138	24	Change “Konstantyn” to “Kostyantyn” (Ukrainian spelling)
141	19	Change “voluntary” to “voluntarily”
145	2	Change “Konstantyn” to “Kostyantyn” (Ukrainian spelling)
146	15	Change “Britain” to “briefing”
146	23	After “comport” add a comma and “that”
146	24	Add comma after “to”, change “breaking” to “believing”
147	13	Change “offices” to “watches”

147	17	Add comma after “off”
150	25	Change spelling to “Kostyantyn”
151	2	“Andrii” to “Andriy”
151	8	“Andrii” to “Andriy”
151	12	“Debinski” to “Dubinsky”
151	20	“Yuri” to “Yuriy” Konstantyn” to “Kostyantyn”
151	25	“FERA” to “FARA”
152	1	Andrii to Andriy
152	2	July to April
156	11	“Fact” to “facts”
157	21	“Andrii” to “Andriy”
158	5	“Andrii” to “Andriy”
159	16	“Natfogaz” to “Naftogaz”
162	19	“Kiev” to “Kyiv”
170	21	“Odessa” to “Odesa”
171	13	Add “ask” after immediately
173	3	Change “Sakvarelydze” to “Sakvarelidze”
173	4	Change “Kasco” to “Kasko”
176	23	Add “people” after “and”
177	4	Change “Odessa” to “Odesa”, and “Kiev” to “Kyiv”
180	13-14	Delete both lines as duplicative of 15-16
180	24	The word “the” should probably precede “claim”
183	2	Change “she’s” to “he’s”
184	6	Change “officer” to “officers”
185	11	Delete “in”
186	1	Change “100” to “Hundred”
186	19	“Sakvarelydze” to “Sakvarelidze”
187	3	Spell the names Sakvarelidze and Kasko
187	5	Change “case” to “cases”
187	12	Change “Hulser” to “Huzyr”
187	13	Change “judge about the prosecutor” to “prosecutor about the raid.”
190	3	Add comma after “guarantee”
191	4	Change “proceed” to “proceeded”

192	6	Add "office" after "front"
194	3	"Kiev" to "Kyiv"
194	20/21	Change "it's" to "he's"
198	8	Cut "it was"
201	7	Drop "of" before "Law" change "Association" to "Organization"
203	14	Change "DAG" to "DAAG"
203	22	"Kiev" to "Kyiv"
203	25	Change "DCM and the Ukrainian embassy in Kiev" to "DCM at the Ukrainian Embassy in Washington"
204	10	"Kiev" to "Kyiv"
211	17	Insert "with" between "up" and "the"
212	4	Change "check" to "trip"
214	25	Change "fair" to "FARA"
219	8	Change "Bully boy" to "bull" before "rush"
226	18	"Kiev" to "Kyiv"
227	14	Change "Transcom" to "transom"
230	6	Cut "and"
232	13	"Kiev" to "Kyiv"
234	10	Change "suspect" to "witness"
238	9	Change "principle to any" to "principled anti-"
241	23	"Kiev" to "Kyiv"
246	6	Cut "a"
246	9	Change "under" to "in"
247	14	Delete "which"
252	17	"Kiev" to "Kyiv"
253	10	Change "principles" to "principals"
256	2	Add "the" before "U.S."
265	1	Add "the" before "U.S."
268	22	Change "I" to "it"
275	5	Change "desk" to "test"
276	2	Change "times" to "time"
276	4	Change "Ambassador" to "Prime Minister"
276	23	Change "dance of" to "chance to express"



UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

- - - - -x

INTERVIEW OF: :

CATHERINE ANN NOVELLI :

:

- - - - -x

Room SD-342 and via Webex  
Dirksen Senate Office Building  
Washington, D.C.  
Tuesday, August 18, 2020  
9:42 a.m.

INTERVIEW OF CATHERINE ANN NOVELLI

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3) Email, Jenkins to Duncan and Heidt, 04/17/14	75
4) Email, Malik to Tramontano, 08/20/14	79
5) Email, Redacted to Duncan, Heidt, Sabeen, 11/17/14	83
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7) Email from Redacted to Brink, 10/28/15	88
8) Email from E Duty Secretary to Duncan and Dodman, 10/29/15	89
9) Email from Painter to Novelli and Tramontano, 11/6/15	110
10) Email from Redacted to Redacted, Duncan, and Dodman 02/18/16	111
11) Email, Redacted to Redacted, 02/17/16	118
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19) Email, Tramontano to Novelli, 11/07/16	162
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1 P R O C E E D I N G S

2 MR. FOLIO: Good morning, everyone. This morning we  
3 are here for a transcribed interview of Ms. Catherine  
4 Novelli that's being conducted by the Senate Committee on  
5 Homeland Security and Governmental Affairs and the Senate  
6 Committee on Finance.

7 This interview was requested by Chairman Ron Johnson  
8 and Chairman Charles Grassley as part of the Committees'  
9 investigation of whether there were any actual or apparent  
10 conflicts of interest or any other wrongdoing with regard to  
11 the Obama administration's Ukraine policy or Burisma  
12 Holdings, as well as related matters.

13 On December 18th, Chairmen Grassley and Johnson  
14 requested Ms. Novelli's appearance for a voluntary  
15 transcribed interview and certain categories of documents.  
16 In response, her counsel has notified us that there were  
17 approximately a dozen documents through a spread sheet. We  
18 have requested production of certain documents, which they  
19 provided to us on Thursday.

20 Ms. Novelli, can you please state your full name for  
21 the record?

22 MS. NOVELLI: Catherine Ann Novelli.

23 MR. FOLIO: Thank you. My name is Joseph Folio. I'm  
24 the Chief Counsel for the Homeland Security and Governmental  
25 Affairs Committee. I'm going to, in order, ask everyone

1 else that's on the line to introduce themselves. I'm going  
2 to start by introducing the folks that are in the room with  
3 me. We're in the Committee hearing room.

4 In the hearing room for Chairman Johnson's staff, I'm  
5 joined by Scott Wittmann, Brian Downey, Will Sacripanti, and  
6 Sarah Smerling.

7 I'm going to ask Chairman Grassley's staff to introduce  
8 themselves next.

9 MR. FLYNN-BROWN: Good morning, Ms. Novelli. My name's  
10 Josh Flynn-Brown. I'm Deputy Chief Investigative Counsel  
11 for Chairman Grassley. Today I'm joined by my colleague  
12 Quinton Brady.

13 MR. FOLIO: And now I'm going to ask the staff from  
14 Ranking Member Peters' office to identify themselves for the  
15 record, please.

16 MR. SCHRAM: Good morning. This is Zack Schram, Chief  
17 Counsel for Ranking Member Peters. Ms. Novelli, the  
18 minority's participation today is not an endorsement of the  
19 investigation. As the Ranking Members have said publicly,  
20 we believe this investigation advances a Russian  
21 disinformation campaign and is intended to interfere in our  
22 2020 Presidential election.

23 Chairman Johnson has repeatedly admitted that this  
24 investigation is targeted at influencing voters and hurting  
25 Vice President Biden's Presidential candidacy. In March

1 2020, hours after Joe Biden became the top Democratic  
2 contender, Chairman Johnson stated, "And if I were a  
3 Democrat primary voter, I'd want these questions  
4 satisfactorily answered before I cast my final vote."

5 Last week, in describing the investigation, Chairman  
6 Johnson said, "I would think it would certainly help Donald  
7 Trump win reelection and certainly be pretty good, I would  
8 say, evidence about not voting for Vice President Biden."

9 We are conducting this interview remotely because we  
10 are in the midst of a pandemic that has created an  
11 extraordinary public health crisis in the United States.  
12 The Homeland Security and Governmental Affairs Committee has  
13 jurisdiction over pandemic preparedness and response, and  
14 yet this Committee has now spent more time on the record  
15 interviewing witnesses in this investigation than it has  
16 spent on all of its COVID hearings combined.

17 Ranking Member Peters believes that this investigation  
18 is a misuse of Committee resources and does not advance the  
19 health, safety, or economic security of Americans consistent  
20 with our Committee's mission. We have a right and  
21 responsibility to be here, and we will do our best to ensure  
22 that you are treated fairly, the record is accurate and  
23 complete, and that the national security interest of the  
24 United States is protected.

25 I am joined by my colleagues Alan Kahn, Soumya

1 Dayananda, and Valerie Shen.

2 MR. FOLIO: Ranking Member Wyden's staff, please  
3 introduce yourselves for the record.

4 MR. BERICK: Dave Berick. I'm the Chief Investigation  
5 for the Democratic staff on the Senate Finance Committee. I  
6 am joined by Dan Goshorn and Josh Heath, who are  
7 investigators on the Committee staff.

8 I'm going to associate the minority Finance views with  
9 those of Mr. Schram and Ranking Member Peters' staff. I  
10 just would put in two data points which I'm going to  
11 introduce in every subsequent interview. We are now 77 days  
12 from the November 3rd election, and we have had 167,000  
13 deaths from COVID during the pendency of this investigation.

14 Dan?

15 MR. GOSHORN: Nothing further.

16 MR. FOLIO: I think we're making a habit of this, but  
17 just to respond briefly to the Ranking Member's staff,  
18 Chairman Johnson and the Committee have held a number of  
19 hearings on the COVID pandemic, and we continue to do work.  
20 The Committee has multiple tasks and we have wide  
21 responsibilities. One of them is Senate oversight. The  
22 core responsibility of the Committee is investigating  
23 conflicts of interest or apparent conflicts of interest.  
24 That's what we are doing and we will continue to do. It  
25 doesn't mean we're not doing [inaudible.]

1           Is someone from the State Department on the line? And  
2 if so, can you please introduce yourself for the record?

3           [No response.]

4           MR. FOLIO: So Will Sacripanti tells me that someone  
5 from the State Department has dialed in and understands that  
6 Bill Killion is joining us.

7           MR. KILLION: Sorry. Can you hear me now?

8           MR. FOLIO: Yes.

9           MR. KILLION: Oh, sorry. I spoke and maybe I wasn't  
10 unmuted. Yeah, Bill Killion with State Leg. Affairs is  
11 here.

12          MR. FOLIO: Thank, Bill.

13          Ms. Novelli, I will now explain how the interview will  
14 proceed. The Federal Rules of Civil Procedure do not apply  
15 to any of the Committees' investigative activities,  
16 including transcribed interviews. The way questioning  
17 proceeds is that we will alternate between the majority and  
18 minority staff for 1 hour each. The majority staff will  
19 begin and proceed for an hour, and then the minority staff  
20 will have an opportunity to ask questions. And we will  
21 rotate back and forth until there are no more questions, and  
22 then the interview will be over.

23          During the interview we will do our best to limit the  
24 number of people who are directing questions at you during  
25 any given hour. That said, from time to time a follow-up or

1 clarifying question may be useful, and if so, you may hear  
2 from other staff members. Given the fact that this is a  
3 virtual interview, I will ask everyone to just take their  
4 time, speak clearly to make sure Ms. Gray's recording who is  
5 speaking and what they are saying.

6 Ms. Irene Gray is the court reporter. She is online  
7 with us, and she is going to create a verbatim record of  
8 what we discuss today. With that in mind, Ms. Novelli, it's  
9 important that you respond to questions verbally. The  
10 reporter cannot properly record nonverbal responses or  
11 gestures. Do you understand this?

12 MS. NOVELLI: Yes.

13 MR. FOLIO: We encourage witnesses that appear before  
14 the Committee to freely consult with counsel. Ms. Novelli,  
15 do you have counsel present with you today?

16 MS. NOVELLI: Yes.

17 MR. FOLIO: And for the record, can your counsel please  
18 introduce themselves?

19 MR. NASH: Good morning. This is Stuart Nash on behalf  
20 of Ms. Novelli. I understand that Chris Armstrong is on the  
21 line, too. [Inaudible] indicates that apparently he cannot  
22 be heard, so he is here listening in.

23 MR. FOLIO: I'm sorry. Ms. Gray, are you able to hear  
24 Mr. Nash? We're having difficulty hearing him.

25 MR. NASH: [Inaudible] because I need to be here in Ms.

1 Novelli's physical presence to consult with her, we are  
2 outside.

3 MR. FOLIO: Stuart, it's still very difficult to hear  
4 you. I'm assuming Ms. Gray is having--

5 MS. NOVELLI: Maybe that's [inaudible].

6 MR. NASH: I don't have headphones that fit this  
7 computer. I don't anticipate talking a lot, but I just  
8 wanted to say we are outside and socially distanced, and  
9 that's the reason why you're hearing birds and outside  
10 sounds. [Inaudible.]

11 MR. FOLIO: Other counsel for Ms. Novelli?

12 MR. NASH: Chris Armstrong said he was on the line but  
13 could not be heard.

14 MR. FOLIO: So just to repeat for Ms. Gray, you're  
15 saying Chris Armstrong from your firm is also joining us  
16 today?

17 MR. NASH: Correct. He cannot make the audio work. He  
18 cannot be heard.

19 MR. FOLIO: Anyone else from your firm, Stuart?

20 MR. NASH: No.

21 MR. FOLIO: Ms. Novelli, we ask that you please answer  
22 our questions in the most complete and truthful manner  
23 possible. We're going to take our time. If you have any  
24 questions or do not understand our questions, just let us  
25 know, and we'll be happy to clarify. Do you understand?

1 MS. NOVELLI: Yes.

2 MR. FOLIO: This interview is unclassified, so if the  
3 question calls for any information that you know to be  
4 classified, please state that for the record, as well as  
5 your understanding for its classification. And then once  
6 you've clarified to the extent possible, we'll ask you to  
7 respond with as much unclassified information as possible.  
8 If necessary, we can have a classified session at a later  
9 time. Do you understand?

10 MS. NOVELLI: Yes.

11 MR. FOLIO: It's the Committees' practice to honor  
12 valid common law privilege claims as an accommodation to a  
13 witness or party when those claims are made in good faith  
14 and accompanied by sufficient explanation so the Committees  
15 can evaluate the claim. When deciding whether to honor a  
16 privilege, the Committee weighs its need for the information  
17 against any legitimate basis for withholding it.

18 This interview is occurring without prejudice for any  
19 future discussions with the Committee, and we reserve the  
20 right to request your participation in the future for  
21 interviews or to compel testimony.

22 Ms. Novelli, if you need to take a break, please let us  
23 know. We will ordinarily take a 5-minute break at the end  
24 of each 1-hour session. But if you need to take a break  
25 before that, let us know and we'll be happy to accommodate

1 you.

2 MS. NOVELLI: I understand.

3 MR. FOLIO: Ms. Novelli, you're required to answer  
4 questions before Congress truthfully. Do you understand  
5 that?

6 MS. NOVELLI: Yes.

7 MR. FOLIO: This also applies to questions posed by  
8 congressional staff in an interview. Specifically, 18  
9 U.S.C. Section 1001 makes it a crime to make any materially  
10 false, fictitious, or fraudulent statement or representation  
11 in the course of congressional investigations, and this  
12 statute applies to the statements you make in this  
13 interview. Do you understand that?

14 MS. NOVELLI: Yes.

15 MR. FOLIO: Is there any reason that you are unable to  
16 provide truthful answers to the questions we ask today?

17 MS. NOVELLI: No.

18 MR. FOLIO: Finally, we ask that you not speak about  
19 what we discuss in this interview with anyone else outside  
20 of who's here in the virtual room today to preserve the  
21 integrity of our investigation, and we also ask that you not  
22 remove any exhibits or any other Committee documents from  
23 the interview. Do you understand and agree?

24 MS. NOVELLI: Yes.

25 MR. FOLIO: Do you have any questions before we begin?

1 MS. NOVELLI: No.

2 MR. FOLIO: I'm going to turn the questioning over to  
3 my colleague Brian Downey.

4 MR. DOWNEY: Good morning, Ms. Novelli. My name's  
5 Brian Downey. I'm a Senior Investigator for Chairman  
6 Johnson and will start our 1 hour at 9:55 a.m.

7 Ms. Novelli, what is your current place of employment  
8 and your job title?

9 MS. NOVELLI: I am an adjunct professor at Georgetown  
10 University.

11 MR. DOWNEY: What was your most recent role at the  
12 State Department?

13 MS. NOVELLI: I'm sorry. You were breaking up.

14 MR. DOWNEY: What was your most recent role at the  
15 State Department?

16 MS. NOVELLI: I was Under Secretary of State for  
17 Economic Growth, Energy, and the Environment.

18 MR. DOWNEY: And did you serve in that role from  
19 approximately April 2014 to January 2017?

20 MS. NOVELLI: February 2014 to January 2017.

21 MR. DOWNEY: Had you previously worked at the State  
22 Department?

23 MS. NOVELLI: No.

24 MR. DOWNEY: What were your roles and responsibilities  
25 in this position as Under Secretary of State for Economic

1 Growth, Energy, and the Environment?

2 MS. NOVELLI: I reported to Secretary of State John  
3 Kerry. I was responsible for the Bureaus that were  
4 underneath the Under Secretary, which included the Economic  
5 and Business Bureau; the Oceans, Environment, and Science  
6 Burisma, OES; and the Energy Department was not a formal  
7 Bureau.

8 MR. DOWNEY: Could you talk more about what the  
9 Economic and Business Bureau entailed and how as Under  
10 Secretary you ran or oversaw that Bureau?

11 MS. NOVELLI: The Bureau had an Assistant Secretary who  
12 was Charles Rivkin, and it engaged on issues with other  
13 countries that had to do with economic issues, everything  
14 from trade to it helped devise the Iran sanctions. It  
15 worked on the sanctions that were put in place with regard  
16 to Russia after Russia invaded Ukraine. It worked on issues  
17 that would involve the IMF and the World Bank; worked on  
18 promoting investment into the U.S. by, you know, foreign  
19 companies, direct investment; worked on issues involving  
20 international telecommunications. It was, you know, all  
21 sort of economic activity that the U.S. would engage in  
22 international, basically.

23 MR. DOWNEY: Okay. Who did you work most closely at  
24 your time at the State Department from February 2014 to  
25 January 2017?

1 MS. NOVELLI: Well, I had a direct staff. Those are  
2 probably the people I worked with on a daily basis. They  
3 rotated, so they were mostly career Foreign Service officers  
4 and so they would rotate on a yearly basis. And I worked--I  
5 worked with whomever I needed to work with depending on what  
6 the issue was. And then I worked with Secretary Kerry. I  
7 worked with whomever was the Deputy Secretary at the time.  
8 I worked with other Assistant Secretaries for the Regional  
9 Bureaus. I would interface with the Chief of Staff. And  
10 it's hard to say, like, an individual. There was really no  
11 one individual outside of my, you know, direct staff because  
12 it depended on what the issues were.

13 MR. DOWNEY: During your time as Under Secretary at the  
14 State Department from February 2014 to January 2017, who was  
15 the Chief of Staff at the State Department?

16 MS. NOVELLI: There were two Chiefs of Staff. Sorry.  
17 I'm just blanking on the names of the two Chiefs of Staff.  
18 I'm sorry.

19 MR. DOWNEY: David Wade?

20 MS. NOVELLI: David Wade was the first Chief of Staff.  
21 Thank you. And the second one was--I'm sorry. I'm just  
22 blanking on his name.

23 MR. DOWNEY: Okay. Can you describe how much you  
24 interacted with Secretary John Kerry at your time at the  
25 State Department?

1 MS. NOVELLI: Again, it would depend on the issue. He  
2 held staff meetings when he was in town every Monday, when  
3 he was in town, so I attended those. They were for the  
4 senior staff. And then if he was having a particular  
5 meeting that was under my area of responsibility, I would  
6 attend that.

7 I interacted with him a great deal when we were  
8 planning the first Our Ocean Conference that brought  
9 together foreign ministers and economy ministers and  
10 philanthropists and scientists and all kinds of other  
11 people. And he was--had been very involved in protecting  
12 the ocean for his whole career, and so I interacted with him  
13 a great deal on that subject.

14 MR. DOWNEY: Understood. So as Under Secretary of  
15 Econ., in that role were you involved in Ukraine policy?

16 MS. NOVELLI: I was involved in certain aspects of  
17 Ukraine policy, things that fell underneath my jurisdiction.  
18 And at the senior staff, the Assistant Secretary responsible  
19 for Europe would report on what was going on in Ukraine,  
20 among many other things.

21 MR. DOWNEY: During that time at the State Department,  
22 from 2014 to 2017, who was the Assistant Secretary for  
23 European Affairs?

24 MS. NOVELLI: Victoria Nuland.

25 MR. DOWNEY: Can you describe how your role as Under

1 Secretary for Econ. blended into the larger Ukraine policy  
2 for the United States at the State Department?

3 MS. NOVELLI: Well, one of the main things that I  
4 focused on there was when, shortly after I arrived at the  
5 State Department, Russia invaded Crimea, and so we had to--  
6 we concluded that we needed to take sanctions against  
7 Russia, and part of that was figuring out what sanctions to  
8 take, and we looked very hard at how we could do things that  
9 would have an effect on Russia economically and coordinate  
10 with Europe so that it wouldn't be something that would be a  
11 hole in the dike in the sense that if we said we won't help  
12 you on, you know, various things, that the European  
13 companies would then just go do it themselves. And so we--  
14 so I spent a great deal of time on that particularly in the  
15 beginning when we were first devising things, and then we  
16 would add to those sanctions, including looking at them,  
17 revising them, working with the Europeans. So that was one  
18 thing that had to do with Ukraine.

19 The other sort of aspect had to do with the sort of  
20 financial side of Ukraine and what it was doing in terms of  
21 righting its own economy. Ukraine obviously was having a  
22 lot of difficulty and not just because of the Russian  
23 investigation but in general, and so it had a program with  
24 the IMF, and the IMF was negotiating with the Ukrainians  
25 about what they needed to do, what specific actions they

1 needed to take in order for the IMF to release funds.

2 The State Department was also responsible for releasing  
3 economic stabilization funds, ESF, and the people who worked  
4 on that were underneath my Under Secretary division. And so  
5 those people were watching very carefully what was going on,  
6 and they were also the people who had to process all the  
7 paperwork to get the funds released.

8 MR. DOWNEY: Who made up your team?

9 MS. NOVELLI: My staff?

10 MR. DOWNEY: Yeah.

11 MS. NOVELLI: Well, as I said, they rotated every year,  
12 so there were three different sets of staff. There were  
13 approximately 12 people each year. That included the Chief  
14 of Staff and the ostensible Deputy Chief of Staff, plus  
15 three administrative assistants. So I don't have a list of  
16 every single staff person at my fingertips. I would have to  
17 go back and provide that if you need the list.

18 MR. DOWNEY: That's fine.

19 So you mentioned some of the issues that you dealt with  
20 when you came into the role at the State Department in 2014.  
21 Ms. Novelli, to what extent were you aware of the U.S.'s  
22 anticorruption efforts in the Ukraine?

23 MS. NOVELLI: I knew that there were anticorruption  
24 efforts. I was not actively engaged in working on the  
25 anticorruption efforts.

1 MR. DOWNEY: Can you detail what you knew about the  
2 anticorruption efforts?

3 MS. NOVELLI: I knew that there was corruption in  
4 Ukraine. I knew that we were trying to seek more  
5 transparency that was one of the things the IMF was seeking.  
6 I really do not have detailed information about the U.S.'s  
7 anticorruption efforts in Ukraine.

8 MR. DOWNEY: From 2014 to 2017, as an Under Secretary,  
9 do you know who at the State Department was leading the U.S.  
10 anticorruption efforts in regards to Ukraine?

11 MS. NOVELLI: Do you mean who on a sort of daily basis  
12 or who was ultimately responsible?

13 MR. DOWNEY: Well, who on a daily basis, but what Under  
14 Secretary or Assistant Secretary was in charge of those  
15 anticorruption efforts in Ukraine?

16 MS. NOVELLI: That would be Victoria Nuland who was the  
17 Assistant Secretary for Europe.

18 MR. DOWNEY: Thank you.

19 And did you ever discuss those efforts with Ms. Nuland  
20 while you were at the State Department?

21 MS. NOVELLI: I do not recall having a specific  
22 discussion about anticorruption efforts in Ukraine with  
23 Victoria Nuland.

24 MR. DOWNEY: Could you detail why you thought Ukraine  
25 was corrupt?

1 MS. NOVELLI: I don't think it's accurate for a  
2 statement for me to say I thought Ukraine was corrupt. That  
3 is not an accurate statement. I knew--I knew that there was  
4 corruption in Ukraine. It was something that--as I said,  
5 there were staff meetings with Secretary Kerry. There would  
6 be reports about what was going on. That there was  
7 corruption in Ukraine was in the newspaper. It was just  
8 sort of general knowledge, but it is a different statement  
9 to say there is corruption in Ukraine than Ukraine is  
10 corrupt.

11 MR. DOWNEY: During your time as Under Secretary, did  
12 you understand the corruption problems within Ukraine? Did  
13 they reside in certain sectors of Ukraine society?

14 MS. NOVELLI: I was not an expert on corruption and  
15 where it resided in Ukraine. As I said, I did not focus on  
16 corruption in Ukraine in my job.

17 MR. DOWNEY: As Under Secretary from 2014 to 2017, were  
18 you ever briefed or attended meetings with Victoria Nuland  
19 where the topic of corruption within Ukrainian society was a  
20 topic of discussion?

21 MS. NOVELLI: I am not aware that there was general  
22 discussion of corruption in Ukrainian society as a writ  
23 large.

24 There were certain--what I am aware of and not in  
25 detail is that there were certain individuals who were not--

1 who were corrupt. I can't remember the names of any  
2 individuals. I am sure that there was some discussion of  
3 that in meetings that I attended.

4       Particularly, one of the things that we did was put  
5 sanctions on individuals. I cannot remember the names of  
6 who those individuals were, but in the discussion of putting  
7 sanctions on those individuals, corruption was something  
8 that was part of that discussion.

9       MR. DOWNEY: Earlier, you mentioned some of the  
10 financial channels that was used to, I believe, assist  
11 Ukraine--the IMF and ESF--in the sovereign loan guarantee.  
12 Can you please explain what role each of those played?

13       MS. NOVELLI: Played in what?

14       MR. DOWNEY: In U.S.-Ukraine relationship and policy,  
15 what was the goal of each of those?

16       MS. NOVELLI: I can't say that there were separate  
17 goals for each one of those. The general goal was to make  
18 sure that Ukraine could stay economically viable as a  
19 country.

20       There was a great deal of concern that Ukraine already  
21 was having difficulties before Russia invaded Ukraine, and  
22 then after the invasion, that concern deepened. And so  
23 there was an absolute worry and concern about making sure  
24 that Ukraine could stay economically viable, and so each one  
25 of the pieces was part of looking at that.

1 MR. DOWNEY: Understood.

2 Ms. Novelli, during your time as Under Secretary, what  
3 role did Vice President Joe Biden play in formulating U.S.-  
4 Ukraine policy?

5 MS. NOVELLI: I don't have direct knowledge of Vice  
6 President Biden's role in formulating Ukraine policy.

7 MR. DOWNEY: As your role--sorry about that. Go ahead.

8 MS. NOVELLI: Interaction on Ukraine was largely within  
9 the State Department and then with my peers on the economic  
10 side that were gathered together by whomever was at the  
11 National Security Council oversee economic policy at the  
12 time.

13 MR. DOWNEY: Who was on the National Security Council  
14 who dealt with the economic side that you liaised with?

15 MS. NOVELLI: I don't remember who was there at that--  
16 you know, any given time, but different people chaired  
17 different meetings. Some of them were from the National  
18 Economic Council. Some of them would be from the--reported  
19 to Susan Rice. So there were various different people, and  
20 I'm sorry. I just can't remember everyone's name.

21 MR. DOWNEY: Did you interact with members of Vice  
22 President Biden's team on Ukraine policy?

23 MS. NOVELLI: No. Unless there was somebody from his  
24 staff who would possibly attend one of these meetings in the  
25 Situation Room, and it's possible there was someone form his

1 staff there. But there would usually be 10 or 15 people  
2 there, and so I did not interact directly.

3 MR. DOWNEY: Understood.

4 Were you aware of reports in April 2014 that Vice  
5 President Biden was considered a lead official with regards  
6 to U.S.-Ukraine policy?

7 MS. NOVELLI: Not specifically.

8 MR. DOWNEY: Okay. We're going to enter in our first  
9 exhibit, and this will be Exhibit 1.

10 And it's Tab 1, Will.

11 [Novelli Exhibit No. 1 was  
12 marked for identification.]

13 MR. DOWNEY: Ms. Novelli, we'll allow you to hopefully  
14 see this document that's been pulled up on the screen and  
15 allow you to review it, and then when you're ready, please  
16 let me know. Thank you.

17 [Pause.]

18 MS. NOVELLI: Okay. I've read the first three  
19 paragraphs. Are there more?

20 MR. SCHRAM: Brian, this is a publicly available  
21 document. Why wasn't it provided to Ms. Novelli in advance  
22 so she had a chance to review a hard copy instead of try to  
23 follow along on the screen?

24 MR. DOWNEY: Zack, this is how we have been doing most  
25 of these interviews, and we'll leave it at that.

1 MS. NOVELLI: Okay. I've finished what's on the screen  
2 now.

3 MR. DOWNEY: Okay. Thank you.

4 So--

5 MS. NOVELLI: I'm sorry. I haven't read the whole  
6 document. I just finished those few paragraphs. So I'm  
7 still reading.

8 [Pause.]

9 MS. NOVELLI: Okay. You can page down some more.

10 [Pause.]

11 MS. NOVELLI: Okay. You can page down some more.

12 [Pause.]

13 MS. NOVELLI: Okay. I've read--I think I've read the  
14 whole thing now.

15 MR. DOWNEY: Okay. Thank you, Ms. Novelli.

16 So according to this Washington Examiner article from  
17 April 25th, 2014, Vice President Biden had become the public  
18 face of the administration's handling of Ukraine. At that  
19 time, of April 2014, you had just, I think, arrived as Under  
20 Secretary of Econ.

21 Was this an accurate representation of Vice President  
22 Biden's role regarding U.S.-Ukraine policy?

23 MS. NOVELLI: I can only speak to my own experience,  
24 and as I said, I was interacting within the State  
25 Department. And then when we started to take sanctions,

1 interacting in the interagency process to look at what those  
2 were, I just didn't have any interaction with Vice President  
3 Biden or directly his staff other than if they attended  
4 these interagency meetings.

5 I do not recall a great deal of discussion in that  
6 context of Vice President Biden.

7 MR. DOWNEY: Did Vice President Biden's staff routinely  
8 attend those meetings when they were at the State  
9 Department?

10 MS. NOVELLI: Well, the meetings would have been  
11 interagency meetings, not meetings at the State Department.  
12 They did not attend State Department meetings that I  
13 participated in.

14 The interagency meetings, I honestly do not recall. I  
15 can't say. I don't remember exactly who attended. It  
16 wasn't something that I noticed that, oh, somebody from Vice  
17 President Biden's office is at this meeting.

18 MR. DOWNEY: Understood.

19 Ms. Novelli, are you aware of the Ukrainian company  
20 Burisma Holdings?

21 MS. NOVELLI: Yes.

22 MR. DOWNEY: How did you become aware of Burisma  
23 Holdings?

24 MS. NOVELLI: I became aware of it because of a meeting  
25 or request--because of a meeting that was occurring with

1 regard to Burisma. Prior to that, I had no knowledge of  
2 Burisma.

3 MR. DOWNEY: When did that meeting request occur?

4 MS. NOVELLI: The meeting request?

5 MR. DOWNEY: Or the meeting occur with--the first time?

6 MS. NOVELLI: The meeting itself occurred in March of  
7 2016.

8 MR. DOWNEY: Would you agree that Burisma has a  
9 reputation for engaging in corrupt activity?

10 MS. NOVELLI: I don't know anything for myself about  
11 Burisma and did not know anything before that particular  
12 meeting.

13 MR. DOWNEY: Are you aware of Burisma's owner, Mykola  
14 Zlochevsky?

15 MS. NOVELLI: No.

16 MR. DOWNEY: What do you know about allegations of  
17 corrupt activity by Burisma?

18 MS. NOVELLI: I really don't know any details about  
19 allegations of corrupt activity by Burisma. It was nothing  
20 that I focused on when I was at the State Department.

21 MR. DOWNEY: Were you ever briefed or made aware of  
22 Zlochevsky bribing Ukrainian government officials?

23 MS. NOVELLI: I do not recall being briefed or made  
24 aware of that.

25 MR. DOWNEY: Are you aware of reporting that while

1 Burisma's owner, Zlochevsky, was Ecology Minister of  
2 Ukraine, he issued licenses to oil and gas companies that  
3 belonged to him?

4 MS. NOVELLI: Sorry. Not aware.

5 MR. DOWNEY: It's 10:24, and I'm going to turn this  
6 over to Josh of Chairman Grassley's office.

7 MR. FLYNN-BROWN: Ms. Novelli, can you hear me okay?

8 MS. NOVELLI: Yes.

9 MR. FLYNN-BROWN: Great. Thank you for your time  
10 today. Before we get too far afield here on one of the  
11 topic that we discussed earlier I want to go back to your  
12 interactions with Victoria Nuland.

13 MS. NOVELLI: Mm-hmm.

14 MR. FLYNN-BROWN: Can you tell us how often you  
15 interacted with Ms. Nuland regarding Ukraine policy?

16 MS. NOVELLI: If you mean interacted as in I was in a  
17 meeting where she was speaking about it, as I said--

18 MR. FLYNN-BROWN: I'm sorry. I can't hear you.

19 MS. NOVELLI: Can you hear me now? Hello?

20 MR. FLYNN-BROWN: There we are. That's much better.  
21 I'm sorry. I did not hear you. Could you restart your  
22 answer?

23 MS. NOVELLI: Yes. I'm not sure what you mean by  
24 "interacted." If you mean meetings, you know, the meetings  
25 that the Secretary held with the senior staff where people

1 would report on what was going on, there were probably, I  
2 would say, in those meetings 30 people, and we would just  
3 report on what was going on. There wasn't really  
4 interactions. So I would see her when those meetings  
5 occurred, which were not every week because the Secretary  
6 was traveling, and she was traveling, and I was traveling.  
7 But at those meetings I interacted with her when we were  
8 looking at the sanctions issues, and we would both attend  
9 the meetings that were held at the situation room, the  
10 interagency meetings. Those were really the main  
11 interactions I had with her about Ukraine.

12 MR. FLYNN-BROWN: During the course of any of those  
13 interactions did you discuss Burisma or its owner, Mykola  
14 Zlochevsky?

15 MS. NOVELLI: Not to my remembrance.

16 MR. FLYNN-BROWN: Now as part of that interagency  
17 process, what agencies were involved in that?

18 MS. NOVELLI: Commerce Department, Treasury Department--  
19 -I'm trying to think who else--us, sometimes the U.S. Trade  
20 Representative's Office, sometimes the Justice Department,  
21 people, staff from the National Economic Council, staff from  
22 the National Security Council, sometimes staff from the UN  
23 representative's office. I'm trying to think who else.  
24 Those are sort of the main--they were the main, usually the  
25 main economic agencies, plus a few others who would be

1 involved in trying to think about getting other countries on  
2 board to do the same sanctions so that we were all acting  
3 together.

4 MR. FLYNN-BROWN: So during the course of those  
5 meetings, with all those agencies and all those personnel,  
6 you don't recall Burisma ever coming up?

7 MS. NOVELLI: I do not recall that.

8 MR. FLYNN-BROWN: And you don't recall its owner coming  
9 up?

10 MS. NOVELLI: No, I do not recall that.

11 MR. FLYNN-BROWN: Did you guys generally discuss  
12 corruption in Ukraine during the course of those meetings?

13 MS. NOVELLI: No. We generally did not discuss  
14 corruption. We generally discussed what could we do that  
15 was going to have an economic impact on Russia that could,  
16 one would hope, cause the Russians to change their behavior  
17 with respect to Crimea.

18 MR. FLYNN-BROWN: So those meetings that you described,  
19 it seems like, you know, corruption within Ukraine and  
20 possibly even Burisma, specifically, should be a topic of  
21 conversation. Would you disagree with that?

22 MS. NOVELLI: Yes, I would.

23 MR. FLYNN-BROWN: And why is that?

24 MS. NOVELLI: Because we were focused on Russia. We  
25 were focused on putting sanctions on Russia.

1 MR. FLYNN-BROWN: So when you were Under Secretary,  
2 what was your understanding of the State Department's  
3 position with respect to Burisma and Zlochevsky?

4 MS. NOVELLI: I'm sorry. You cut out at the last thing  
5 you said.

6 MR. FLYNN-BROWN: I'll just restate the question in  
7 full. As Under Secretary, what was your understanding of  
8 the State Department's position with respect with Burisma  
9 and Zlochevsky?

10 MS. NOVELLI: I had no understanding of it.

11 MR. FLYNN-BROWN: And with respect to your interactions  
12 with the National Security Council, do you recall any of the  
13 individuals that you regularly interacted with during the  
14 course of the interagency meetings?

15 MS. NOVELLI: I do not remember the names of all these-  
16 -of the individuals, no.

17 MR. FLYNN-BROWN: Does the name Elisabeth Zentos come  
18 to mind?

19 MS. NOVELLI: No. That name is completely unfamiliar  
20 to me.

21 MR. FLYNN-BROWN: Are you aware of whether or not the  
22 Vice President's office was made aware of concerns relating  
23 to Burisma's or Zlochevsky's reputation in Ukraine for  
24 corrupt activity?

25 MS. NOVELLI: I have no awareness.

1 MR. FLYNN-BROWN: Do you believe the Vice President's  
2 office should have been made aware of those corruption-  
3 related concerns, in light of the Vice President running  
4 Ukraine policy for the Obama administration?

5 MS. NOVELLI: I can't--because I don't have any real  
6 detailed knowledge of Burisma I can't say one way or the  
7 other. I don't feel qualified to answer that.

8 MR. FLYNN-BROWN: At this point I am going to pass the  
9 microphone back to Brian. Thank you.

10 MS. NOVELLI: Sure.

11 MR. DOWNEY: Ms. Novelli, as Under Secretary, were you  
12 aware that Vice President Biden's son, Hunter, had joined  
13 the board of Burisma in May of 2014?

14 MS. NOVELLI: I only became aware of that as a result  
15 of the meeting that I had in March of 2016. I was not aware  
16 of that before that time.

17 MR. DOWNEY: So for nearly two years you didn't have  
18 knowledge that Hunter Biden had joined the board of Burisma?

19 MS. NOVELLI: No.

20 MR. DOWNEY: What was your reaction when you learned  
21 that Hunter Biden was on the board of Burisma?

22 MS. NOVELLI: I had no reaction. I didn't know  
23 anything about Burisma, so I had no reaction.

24 MR. DOWNEY: Do you know why Hunter Biden joined  
25 Burisma's board?

1 MS. NOVELLI: I have no idea.

2 MR. DOWNEY: Are you aware of Hunter Biden's  
3 responsibilities when he was on the board of Burisma?

4 MS. NOVELLI: No.

5 MR. DOWNEY: As Under Secretary, were you aware of  
6 other Americans that were on Burisma's board?

7 MS. NOVELLI: No, unless there was somebody else that  
8 was mentioned in the meeting that I had in March of 2016.

9 MR. DOWNEY: Who is Devon Archer?

10 MS. NOVELLI: I have no independent knowledge of who  
11 Devon Archer is. I have read in the press that he was a  
12 partner of Hunter Biden, but I have no independent knowledge  
13 of Devon Archer.

14 MR. DOWNEY: When did you learn that Hunter Biden  
15 joined Burisma's board?

16 MS. NOVELLI: At some--I don't know the precise date,  
17 but in preparation for the meeting I had on March 1 of 2016,  
18 I was--and I don't remember how I was made aware, but I was  
19 made aware that he was on the board of Burisma.

20 MR. DOWNEY: So in March of 2016, when you said you  
21 learned that Hunter Biden had joined Burisma's board, did  
22 you have any concerns about potential conflicts of interest  
23 relating to Hunter's role on Burisma's board, given Joe  
24 Biden's diplomatic responsibilities in Ukraine?

25 MS. NOVELLI: I didn't really give it thought. I

1 didn't know any detailed information about Burisma. I  
2 didn't really give it thought.

3 MR. DOWNEY: At any time after learning about Hunter  
4 Biden being on Burisma's board, did you communicate any  
5 concerns to anyone at the State Department?

6 MS. NOVELLI: About him being on the board?

7 MR. DOWNEY: Correct.

8 MS. NOVELLI: I do not remember communicating a concern  
9 about that.

10 MR. DOWNEY: So you did not communicate any concerns.

11 MS. NOVELLI: I do not remember communicating any  
12 concern about that.

13 MR. DOWNEY: Would there be someone within the State  
14 Department that you could register concerns with as an Under  
15 Secretary?

16 MS. NOVELLI: I'm sorry. I'm not totally understanding  
17 what you mean.

18 MR. DOWNEY: So if you have concerns about an issue  
19 that you're dealing with when you were Under Secretary, who  
20 would raise those concerns to? What avenues within that  
21 government role did you have?

22 MS. NOVELLI: Well, it would depend on what the concern  
23 is. If it was a concern about something--

24 MR. DOWNEY: A concern about conflict of interest.

25 MS. NOVELLI: --if it was a concern about conflict of

1 interest, someone inside the State Department. I would  
2 raise the concern with the Office of the Legal Advisor.  
3 There were people there who dealt with those questions. So  
4 that's where I would go if I had a concern about conflict of  
5 interest.

6 MR. DOWNEY: So just to be clear, in March of 2016,  
7 when you first learned that Hunter Biden was on the board of  
8 Burisma, you did not do anything with that information, or  
9 raise any concerns about learning of that information.

10 MS. NOVELLI: Raise a concern about a conflict of  
11 interest?

12 MR. DOWNEY: Correct.

13 MS. NOVELLI: I do not recall doing that.

14 MR. DOWNEY: As Under Secretary, were you aware of  
15 other State Department officials expressing concerns about  
16 conflicts of interest or appearances of conflicts of  
17 interest regarding Hunter Biden's role on Burisma's board?

18 MS. NOVELLI: I am not aware of that.

19 MR. DOWNEY: After learning, in March of 2016, that  
20 Hunter Biden was on Burisma's board, did you think it was  
21 problematic that Hunter served on a board while his father  
22 was leading U.S. Ukraine policy?

23 MS. NOVELLI: I did not give it any thought.

24 MR. DOWNEY: Did you think it was problematic that  
25 Hunter Biden served on Burisma's board and there were

1 allegations of corruption related to its owner, Zlochevsky,  
2 while the State Department was pushing anti-corruption  
3 measures?

4 MS. NOVELLI: I was not--I do not recall being aware of  
5 allegations of corruption against Zlochevsky. I was not  
6 intimately involved in the details of the anti-corruption  
7 efforts, and, therefore, did not give any thought to Hunter  
8 Biden being on the board of Burisma.

9 MR. DOWNEY: So to be clear, you don't think there is a  
10 conflict that Hunter Biden was on Burisma's board?

11 MS. NOVELLI: I don't have a view about that.

12 MR. DOWNEY: Why not?

13 MS. NOVELLI: As I tried to explain, I didn't really  
14 spend a lot of time on the corruption efforts that the U.S.  
15 Government was doing with regard to Ukraine. That just  
16 wasn't one of the things that I was focusing on. There were  
17 lots of other people working on that. So I didn't really  
18 have a view about this.

19 MR. DOWNEY: But as you stated, you took a meeting  
20 about Burisma in March of 2016. Correct?

21 MS. NOVELLI: So when the meeting request came in to  
22 me, the meeting request--and I believe you have all the same  
23 documents I do--the meeting request did not reference  
24 Burisma. It didn't reference the name of anybody. I didn't  
25 reference anything except asking for advice. And I agreed

1 to that meeting, and at that time there was no mention of  
2 Burisma. There was not mention of any names of anyone when  
3 the meeting request came in.

4 MR. DOWNEY: In that preparation for that March 2016  
5 meeting, was Hunter Biden's name raised or discussed?

6 MS. NOVELLI: I do not recall. I believe the meeting  
7 request came in at the end of February or middle of  
8 February, and the meeting was on March 1. I had normally  
9 meetings back to back from, you know, 8:30 in the morning  
10 until 6:00 or 7:00 at night, often with very little breaks,  
11 if any. And so I focused on the meetings that were in front  
12 of me and not the ones that were coming up. And so I don't  
13 really spend time worrying about this particular meeting.  
14 It was not--and so I wouldn't be having a lot of discussions  
15 about a meeting like that in any kind of usual situation,  
16 because I was busy reading my briefing papers for the  
17 meetings I was having like that day or the next day.

18 MR. DOWNEY: During your time as Under Secretary, from  
19 2014 to 2017, how many meetings did you take that were  
20 Ukraine-centric?

21 MS. NOVELLI: I don't know. I couldn't tell you. The  
22 meetings that I took about Ukraine were largely meetings  
23 that had to do with financial things, like I had a meeting  
24 with Citibank, who talked about what was happening in Russia  
25 and what was happening in Ukraine. I had meetings with the

1 finance ministers of Ukraine. There were various of them.  
2 They would come through. Those were the type of meetings.  
3 I can't tell you how many.

4 MR. DOWNEY: As time as Under Secretary, from 2014 to  
5 2017, were you involved in meetings or discussions about  
6 Ukraine's Prosecutor General Office, the PGO?

7 MS. NOVELLI: Not that I'm aware of.

8 MR. DOWNEY: What do you know about Ukraine's  
9 Prosecutor General's Office?

10 MS. NOVELLI: I don't--from the time as an Under  
11 Secretary I had no detailed knowledge of the Prosecutor  
12 General's Office of Ukraine.

13 MR. DOWNEY: Did you take any meetings where the  
14 Prosecutor General's Office of Ukraine was a topic of  
15 discussion?

16 MS. NOVELLI: I do not recall. I do not recall having  
17 specific meetings about the Prosecutor General's Office of  
18 Ukraine.

19 MR. DOWNEY: But did you have meetings where the  
20 Prosecutor General's Office was a topic of discussion?

21 MS. NOVELLI: I don't recall having meetings where the  
22 Prosecutor General's Office was a main topic of discussion.

23 MR. DOWNEY: In March of 2016, the Prosecutor General  
24 of Ukraine was Viktor Shokin. Do you know who Viktor Shokin  
25 is?

1 MS. NOVELLI: Well, you're telling me he was the  
2 Prosecutor General of Ukraine. That's about as much as I  
3 know.

4 MR. DOWNEY: Do you remember, during your time as the  
5 Under Secretary, that U.S. officials were calling for  
6 Shokin's firing in the beginning of 2016?

7 MS. NOVELLI: Honestly, it just wasn't something I  
8 focused on. I just did not focus on this aspect of Ukraine  
9 policy.

10 MR. DOWNEY: Were you aware of any allegations of  
11 corruption by Viktor Shokin?

12 MS. NOVELLI: Not specifically, no.

13 MR. DOWNEY: As Under Secretary, were you aware of Vice  
14 President Biden linking U.S. loan guarantees to the removal  
15 of Viktor Shokin?

16 MS. NOVELLI: I do not recall that from my time. I've  
17 read since then that that happened, but I do not recall that  
18 from my time there.

19 MR. DOWNEY: Do you remember when the linking of U.S.  
20 loan guarantees to the removal of Shokin, when that policy  
21 was discussed--

22 MS. NOVELLI: No.

23 MR. DOWNEY: --at the State Department?

24 MS. NOVELLI: No, I do not. I was not involved in that  
25 specifically.

1 MR. DOWNEY: Do you know when Vice President Biden made  
2 this demand?

3 MS. NOVELLI: No, I do not.

4 MR. DOWNEY: As Under Secretary, what was your  
5 awareness of Ukraine's prosecutor general office's  
6 investigation into Burisma and Zlochevsky?

7 MS. NOVELLI: I've had no awareness of this other than  
8 whatever was in the briefing paper for the meeting that I  
9 had on March 1, and I have not had access to that paper.  
10 And I don't have any specific memory of it.

11 MR. DOWNEY: I'm going to turn it over to Josh of  
12 Chairman Grassley's office for one minute. Then probably go  
13 to Joe Folio.

14 MR. FLYNN-BROWN: Thank you, Brian.

15 Real quick on a follow-up questions on one of the  
16 answers that you gave Brian. I think you mentioned that  
17 some of your meetings--I don't want to put words in your  
18 mouth, so please correct me if I get this wrong. But some  
19 of your meetings during the interagency process involved  
20 discussions with banks, and I believe you mentioned  
21 Citigroup or Citibank. Did I hear that correctly?

22 MS. NOVELLI: No, you did not. Those were not  
23 interagency meetings.

24 MR. FLYNN-BROWN: I'm sorry. That cut out. Can you  
25 restate your answer?

1 MS. NOVELLI: You did not hear it correctly. The  
2 meetings I was talking about were not interagency meetings.

3 MR. FLYNN-BROWN: Okay. So which meetings were the  
4 ones where you had discussions with the banks? Were those  
5 just you and the banks?

6 MS. NOVELLI: There were occasionally--people would--  
7 representatives, U.S. representatives of the banks would  
8 bring some of their people who were working in Russia who  
9 were also responsible for Ukraine to my office to just give  
10 me the lay of the land as like a background of what was  
11 going on, and so that was the type of meeting I was talking  
12 about. Those were not interagency meetings.

13 MR. FLYNN-BROWN: Okay. So these meeting, then, did  
14 you discuss with the banks suspicious financial transactions  
15 within Russia?

16 MS. NOVELLI: Not in detail, no. We discussed more of  
17 what was generally the scene of people in Russia, not  
18 specific transactions.

19 MR. FLYNN-BROWN: So what do you mean by scene of the  
20 people in Russia?

21 MS. NOVELLI: What were people thinking about--what  
22 were people thinking about the invasion of Crimea, how was  
23 business going, general kinds of things, not specific  
24 financial transactions.

25 MR. FLYNN-BROWN: Within your purview while you were at

1 the State Department, were suspicious financial transactions  
2 a part of your job duties when it came to Russia?

3 MS. NOVELLI: Not specifically, no.

4 MR. FLYNN-BROWN: Okay.

5 MS. NOVELLI: That would have been more--

6 MR. FLYNN-BROWN: And with respect--

7 MS. NOVELLI: --the Treasury Department.

8 MR. FLYNN-BROWN: And with respect to the meetings you  
9 had with the bank representatives regarding Russia, did you  
10 have the same discussions with bank representatives  
11 regarding Ukraine?

12 MS. NOVELLI: The particular meeting that I'm recalling  
13 was a meeting with someone who was posted to Russia, based  
14 in Russia, worked for Citibank, but also responsible for  
15 Ukraine, did not live there. And we did not have specific  
16 discussions about suspicious financial transactions. That  
17 was not the nature of that particular meeting.

18 MR. FLYNN-BROWN: At any point during your employment,  
19 did that become the topic of discussion in any of your  
20 meetings with respect to specifically suspicious financial  
21 transactions in Ukraine or Russia?

22 MS. NOVELLI: You mean individual, specific financial--

23 MR. FLYNN-BROWN: Sure.

24 MS. NOVELLI: --transactions?

25 MR. FLYNN-BROWN: Yes. Sure.

1 MS. NOVELLI: I do not recall having meetings about  
2 individual, specific financial transactions in Ukraine or  
3 Russia.

4 MR. FLYNN-BROWN: Thank you.

5 I'm going to pass this over to Brian.

6 MR. FOLIO: Hi, Ms. Novelli. This is Joe Folio. Just  
7 a few more questions to round out our first line of inquiry.

8 So you mentioned before that there were different types  
9 of financial packages provided to Ukraine. We discussed  
10 economic stabilization funds, IMF funds, sovereign loan  
11 guarantees.

12 One way or another, did those financial issues fall  
13 within your purview?

14 MS. NOVELLI: Fall within my purview meaning that--I  
15 certainly wasn't the main--excuse me--the main person  
16 responsible for the IMF. That was the Treasury Department.  
17 You know, I had situational awareness.

18 But the people who were working on the ESF, economic  
19 stabilization funds--and I am not certain about the loan  
20 guarantees, whether those came from us or a different  
21 agency, but the people who were focused on that were  
22 underneath the--they were in the Economic and Business  
23 Bureau, which was part of the Under Secretary's  
24 organization, I guess.

25 MR. FOLIO: And recognizing that there are different

1 parts of the government at play here, how would you describe  
2 the role of your bureaus in working on those parts of U.S.  
3 policy towards Ukraine?

4 MS. NOVELLI: Well, people followed those and--to know  
5 what was going on, and really our main role on those was  
6 processing paper. We didn't really--our bureau didn't  
7 really have a huge say in the policy, you know. Like, we  
8 were processing the paper to make the funds be released.

9 MR. FOLIO: What I'm trying to understand is that we  
10 discussed how in--or around in early 2016, the third \$1  
11 billion U.S. sovereign loan guarantee was allegedly  
12 conditioned on anticorruption reform, specifically the  
13 removal of Mr. Shokin.

14 And you told us earlier that in your several  
15 interagency meetings, generally, anticorruption never came  
16 up. So I'm trying to understand that if anticorruption was  
17 never something that came up in the interagency process,  
18 then how all of a sudden did it become the condition under  
19 which the United States was potentially going to withhold \$1  
20 billion in a sovereign loan there?

21 MS. NOVELLI: So, as I explained, the interagency  
22 meetings I was referring to were about sanctions against  
23 Russia. They were not about Ukraine specifically--they were  
24 about Ukraine because we were taking sanctions against  
25 Russia because they invaded Crimea, but they were focused on

1 taking sanctions against Russia. I did not participate in--  
2 that I remember, anyway--meetings about conditioning made to  
3 Ukraine on one thing or another thing.

4       There were people who worked underneath me who may have  
5 participated in meetings, but that was not something that I  
6 recall spending a great deal of time doing. So I can't  
7 really speak to what was and wasn't discussed in those  
8 meetings.

9       MR. FOLIO: You previously described these package of  
10 economic--different economic packages as something that was  
11 basically necessary to keep Ukraine as a viable country.

12       MS. NOVELLI: Right.

13       MR. FOLIO: If the United States was going to condition  
14 a billion-dollar sovereign loan guarantee, do you think  
15 that's something that would have risen to your visibility as  
16 Under Secretary, to your level?

17       MS. NOVELLI: I can't tell you--I can only tell you  
18 what I recall, and I just don't recall the specifics of the  
19 particular conditionality that you're talking about. It's  
20 possible that somebody told me about it, but it's not  
21 something that I was focusing on.

22       MR. FOLIO: Given your role as Under Secretary, would  
23 you be surprised if something as significant as conditioning  
24 a billion dollars worth of sovereign loan guarantees  
25 occurred and you were not made aware of it?

1 MS. NOVELLI: I don't know how to answer that. I don't  
2 think it's a question I can actually properly answer.  
3 Whether I would have been surprised, it's very speculative.

4 MR. FOLIO: So in the course of your duties, would the  
5 withholding of \$1 billion of sovereign loan guarantees been  
6 the type of issue that should have been brought to your  
7 attention? Would you have expected to have heard about  
8 that?

9 MS. NOVELLI: I don't know that it would have been  
10 brought to my attention other than as an aside, but  
11 certainly not--because we were just really processing the  
12 paper. The policy was really being made by Victoria Nuland  
13 and the people that she interacted with at the White House,  
14 not us.

15 MR. FOLIO: Ms. Novelli, we've concluded our first hour  
16 of questioning. So, normally, what we would do now is we  
17 would turn it over to the Minority, but I wanted to see if  
18 you'd like to take a five- or ten-minute break at this  
19 point.

20 MS. NOVELLI: Yeah. I'd love to take a five-minute  
21 break, a bio-break.

22 MR. FOLIO: Zack, what time would you like to  
23 reconvene? Do you want to say?

24 MR. SCHRAM: Well, do you want to say 11:05 or 11:10?

25 MR. FOLIO: Whatever Ms. Novelli would prefer.

1 MS. NOVELLI: Yeah, five minutes is enough.

2 MR. SCHRAM: Okay. Let's--

3 MS. NOVELLI: I could do a quick bio-break.

4 MR. SCHRAM: Let's make it 11:05.

5 MS. NOVELLI: Okey-doke.

6 MR. FOLIO: Thank you.

7 [Recess.]

8 MR. SCHRAM: Okay, going back on the record.

9 Ms. Novelli, I appreciate your time this morning and  
10 appreciate your service to this country, your public  
11 service. In the first hour, the majority had seemed  
12 surprised that you were not more actively involved in  
13 anticorruption efforts in Ukraine or more focused on those  
14 efforts in Ukraine. What was your focus?

15 MS. NOVELLI: As I said, my focus for--for Ukraine or  
16 in general?

17 MR. SCHRAM: Let's do both. Start with general, and  
18 then speak to Ukraine, please.

19 MS. NOVELLI: My focus was looking at--on the  
20 environment side, looking at questions of setting up better  
21 communication between scientists in the U.S. and scientists  
22 in other countries, and the ability of scientists to be able  
23 to talk on a forward-going basis about what was coming down  
24 the pike that we should all be worrying about.

25 My focus was on looking at successfully convincing

1 China to stop its ivory markets because elephants had 10  
2 years left from being extinct in the wild, and we had  
3 succeeded in doing that.

4 My focus was on getting part of Antarctica declared a  
5 marine protected area which required the agreement of many  
6 countries in the world and succeeded in doing that. On  
7 pulling together sort of a worldwide effort on ocean  
8 conservation, so that was on the environment side.

9 On the economic side, my focus was on looking at  
10 working with developing countries, particularly in Southeast  
11 Asia and Africa, on how they could--how they could plug into  
12 globalization in a way that both allowed them to have viable  
13 economic activity and also be transparent, protect  
14 intellectual property, and set up solid regimes for how  
15 workers were treated in their countries and set up  
16 transparent customs processing, efficient customs  
17 processing.

18 I also focused on questions involving the Internet,  
19 things like issues of privacy sort of in other countries and  
20 how they were regulating that. We also started a push to  
21 look at how we could bring broadband access in the  
22 developing world, partnered with the World Bank on a study  
23 that showed that a 10-percent increase in broadband  
24 penetration in a developing country actually resulted in a  
25 1- to 2-percentage-point increase in GDP. And so we really

1 tried to push with finance ministers and with development  
2 banks the idea that broadband was really infrastructure just  
3 like roads, that that was the modern road, and that that  
4 could help all kinds of people and their society participate  
5 both in their own economy and in the global economy. And  
6 there were a number of other issues about access to the  
7 Internet from a technological point of view that I focused  
8 on. And then focused on, as I said, sanctions against  
9 Russia because of their invading of Ukraine, and, you know,  
10 many other kind of more issues that would involve solid,  
11 transparent financial decisionmaking and solid  
12 decisionmaking especially by the development banks that--  
13 including looking at environment as a criterion for the  
14 impact on the environment.

15       The other thing that I spent a great deal of time  
16 focusing on was China, and there were many, many, obviously,  
17 and still are, questions about China, their economic  
18 activity, their adherence to trade rules, their--and then I  
19 worked with them also on some questions of aviation, some  
20 questions of environment. And then there was another large  
21 issue involving subsidization or alleged subsidization of  
22 carriers in the Middle East that U.S. carriers said were  
23 hurting them, and so we had to look at that and see what we  
24 could do about that.

25       So I focused on--I tried to focus on questions that

1 were uniquely within the purview of our realm, and if things  
2 were not within the purview of our realm and were being  
3 handled elsewhere, I didn't really want--I only had so many  
4 hours in the day, so I spent my time focusing on the things  
5 where I could actually have an impact and not things that  
6 were somebody else's, in someone else's silo.

7 MR. SCHRAM: It sounds like an enormously broad  
8 portfolio and one of great consequence. It sounds like you  
9 had a lot of success in your missions. Can you describe  
10 very generally the proportion of your responsibility, the  
11 proportion of your focus that was related to Ukraine?

12 MS. NOVELLI: It was a relatively small, very small  
13 proportion. I don't know how to give it an exact number.  
14 As I said, my primary responsibility for Ukraine was looking  
15 at these sanctions and then making sure that when the funds  
16 were supposed to be released for the economic stabilization  
17 or a loan guarantee, that that happened, you know, the  
18 machinery actually happened that was supposed to happen.  
19 And then there were some conversations with Ukrainian  
20 finance ministers about sort of more writ large, sort of  
21 what was happening in Ukraine and what they were doing to  
22 try to stabilize the country.

23 MR. SCHRAM: So a very small part of your enormous  
24 portfolio related to Ukraine, and if I understand you  
25 correctly, the part that did focus on Ukraine was largely

1 related to the sanctions on Russia as the invasion of  
2 Crimea.

3 MS. NOVELLI: That is for myself. There were certainly  
4 some staff people who followed--you know, followed more  
5 closely what was going on. But for myself, that is correct.

6 MR. SCHRAM: So what proportion of your focus on  
7 Ukraine personally was with respect to anticorruption  
8 reform?

9 MS. NOVELLI: Well, I can't really say zero, but it's  
10 about as close to zero as you could get.

11 MR. SCHRAM: Ms. Novelli, the majority has stated that  
12 the purpose of this investigation is to determine "whether  
13 certain officials within the Obama administration had actual  
14 or apparent conflicts of interest, or whether there was any  
15 wrongdoing because of Hunter Biden's role in Rosemont Seneca  
16 and related entities and as a board member of Burisma  
17 Holdings."

18 Did you take any actions related to U.S. policy in  
19 Ukraine intended to benefit Hunter Biden?

20 MS. NOVELLI: No.

21 MR. SCHRAM: Are you aware of any U.S. official who  
22 took any action related to U.S. policy in Ukraine intended  
23 to benefit Hunter Biden?

24 MS. NOVELLI: I am--I have no awareness.

25 MR. SCHRAM: Are you aware of any wrongdoing by the

1 Obama administration related to Hunter Biden's position on  
2 the board of Burisma?

3 MS. NOVELLI: I have no awareness.

4 MR. SCHRAM: Ms. Novelli, was the foreign policy that  
5 Vice President Biden pursued in Ukraine intended to advance  
6 the interests of the United States of America?

7 MS. NOVELLI: Everybody who worked on Ukraine was  
8 trying to advance the interests of the United States of  
9 America, to my knowledge.

10 MR. SCHRAM: To your knowledge, was the foreign policy  
11 pursued by the State Department in Ukraine corrupt?

12 MS. NOVELLI: Was the foreign policy pursued by the  
13 State Department corrupt?

14 MR. SCHRAM: Correct.

15 MS. NOVELLI: Not to my knowledge.

16 MR. SCHRAM: To your knowledge, was the foreign policy  
17 pursued by Vice President Biden in Ukraine corrupt?

18 MS. NOVELLI: Not to my knowledge.

19 MR. SCHRAM: To your knowledge, did the State  
20 Department change foreign policy toward Ukraine in an effort  
21 to assist the Vice President's son?

22 MS. NOVELLI: Not to my knowledge.

23 MR. SCHRAM: Did Vice President Biden change foreign  
24 policy towards Ukraine to assist his son?

25 MS. NOVELLI: I have no knowledge of that.

1 MR. SCHRAM: The majority contends that Blue Star  
2 Strategies used Hunter Biden's name to obtain meetings with  
3 you. Is that accurate?

4 MS. NOVELLI: That is not accurate.

5 MR. SCHRAM: Was it in your practice to meet with  
6 lobbying firms on issues that are in your portfolio?

7 MS. NOVELLI: Yes.

8 MR. SCHRAM: Did you take any personal action to change  
9 U.S. policy toward Ukraine because of your meetings with  
10 Blue Star representatives?

11 MS. NOVELLI: No.

12 MR. SCHRAM: To your knowledge, did the State  
13 Department take any action to change U.S. policy toward  
14 Ukraine because of Blue Star's influence?

15 MS. NOVELLI: Not to my knowledge.

16 MR. SCHRAM: Did you take any action to change Ukraine  
17 policy because of Hunter Biden's position on Burisma's  
18 board?

19 MS. NOVELLI: No.

20 MR. SCHRAM: To your knowledge, did any State  
21 Department official change Ukraine policy because of Hunter  
22 Biden's position on Burisma's board?

23 MS. NOVELLI: Not to my knowledge.

24 MR. SCHRAM: To your knowledge, did Vice President  
25 Biden change Ukraine policy because of Blue Star's

1 influence?

2 MS. NOVELLI: Not to my knowledge.

3 MR. SCHRAM: To your knowledge, did Vice President  
4 Biden change Ukraine policy because of Hunter Biden's role  
5 on the board of Burisma?

6 MS. NOVELLI: I have no knowledge.

7 MR. SCHRAM: In your opinion, is there any merit to the  
8 narrative that Vice President Biden's actions in Ukraine  
9 were corrupt?

10 MS. NOVELLI: I have no knowledge of--specific  
11 knowledge of Vice President Biden's actions in Ukraine, so I  
12 can't really proffer an opinion.

13 MR. SCHRAM: Are you aware of any current actions taken  
14 by U.S. officials with respect to the U.S. Government's  
15 policy in Ukraine?

16 MS. NOVELLI: No.

17 MR. SCHRAM: And that would include the Vice President?

18 MS. NOVELLI: That would include all U.S. officials.

19 MR. SCHRAM: Ms. Novelli, as you may have gathered from  
20 the first hour of questions, the Chairman insinuates that  
21 Hunter Biden was a central consideration of the Obama  
22 administration's policy in Ukraine. Is that accurate?

23 MS. NOVELLI: Not to my knowledge.

24 MR. SCHRAM: The Chairman alleges that Hunter Biden  
25 needed a favor, and Vice President Biden decided to

1 intervene to change U.S. policy in Ukraine, and the whole  
2 foreign policy apparatus of the United States, the EU, and  
3 the IMF turned on a dime to serve his needs. Is that how it  
4 works?

5 MR. FOLIO: Hey, Zack, if I could interject here,  
6 you've now twice said what Chairman Johnson alleges. I  
7 don't think you're quoting from anything, so I'd ask you to  
8 refrain from characterizing anything Chairman Johnson has  
9 said or what he has alleged unless you're reading an exact  
10 quote.

11 MR. SCHRAM: I decline from refraining from  
12 characterizing Chairman Johnson's allegations. Chairman  
13 Johnson has a long record speaking on these facts in  
14 multiple news settings, including revealing information from  
15 the ongoing investigation, including on--in media such as  
16 the One America Network, and there's no way to quote at  
17 length the many allegations that he's made. I will indicate  
18 that these are my characterizes of Chairman Johnson's  
19 allegations and insinuations.

20 MR. FOLIO: Just for the record, to be clear, no one's  
21 talking about leaks here. We're talking about you  
22 mischaracterizing a la Adam Schiff off the cuff what  
23 Chairman Johnson seeks to find or what Chairman Johnson has  
24 said without quoting him. So we believe these are gross  
25 mischaracterizations, and we'll state that for the record.

1 Again, insofar as you want to attribute anything to Chairman  
2 Johnson, it should be a direct quote. Otherwise, you should  
3 focus on the facts.

4 MR. GOSHORN: Joe, I just want to flag if we're going  
5 to start correcting each other's characterizations of what  
6 other people said, it's really going to slow down this whole  
7 process. I mean, I think there were several times we could  
8 have stopped you all during your questioning where you're,  
9 you know, characterizing the facts in a way that really  
10 weren't accurate. So--and we can move on from this, but I  
11 don't think this is necessarily a great road to start going  
12 down.

13 MR. SCHRAM: Do you dispute my characterizations? Then  
14 this entire investigation would be unnecessary, because this  
15 is what the Chairman has characterized in the public record  
16 and insinuates and alleges for the purpose of interfering in  
17 an election. So if you want to say that they're inaccurate,  
18 then the entire investigation could be completed.

19 MR. FOLIO: Again, it's a simple request. Rather than  
20 make things up, if you're going to talk about Chairman  
21 Johnson, you should read his quotes. Again, we're asking  
22 questions based on documents, questions about facts, what  
23 happened and didn't happen. They're straightforward.  
24 Again, it's a simple request. Please don't characterize the  
25 intent of our investigation. It is our investigation, not

1 yours. If you're going to refer to Chairman Johnson and  
2 what was in his mind, the only way you can do that with any  
3 accuracy, any sense of accuracy, is to read quotes. But I  
4 think I've made my objection and your gross  
5 mischaracterization clear. So please go ahead.

6 MR. SCHRAM: So here's something that Chairman Johnson  
7 said on the One America Network this week: "The media has a  
8 mantra about Joe and Hunter Biden that there's no evidence  
9 of wrongdoing or illegal activity. I could not disagree  
10 more."

11 Ms. Novelli, are you aware of illegal activity with  
12 respect to your decisions on Ukraine policy?

13 MS. NOVELLI: No.

14 MR. SCHRAM: Are you aware of illegal activity with  
15 respect to any member of the State Department's policy  
16 decisions on Ukraine?

17 MS. NOVELLI: I have no awareness.

18 MR. SCHRAM: Are you aware of illegal activity by the  
19 Vice President?

20 MS. NOVELLI: I have no awareness of that.

21 MR. SCHRAM: The central allegation of the majority's  
22 investigation is that the Vice President intervened on  
23 behalf of Hunter Biden, decided to change U.S. policy in  
24 Ukraine, and that the whole foreign policy apparatus of the  
25 United States, European Union, and the IMF turned on a dime

1 to serve his needs. Is that how it works?

2 MR. FOLIO: I'll just again object and note that you're  
3 mischaracterizing our investigation.

4 MR. SCHRAM: That's not how objections work, Joe, in a  
5 Committee interview. If you would like for me to object  
6 every time you make a characterization, this is going to be  
7 a 4-day interview.

8 Ms. Novelli, you're muted.

9 MS. NOVELLI: Sorry. I was just speaking with my  
10 counsel. Could you be more specific? It's hard--it's a  
11 long question, and when you say, "Is that how it works?"  
12 what do you mean by, "Is that how it works?"

13 MR. SCHRAM: Sure. You talked a bit about the  
14 interagency process and the State Department policy process.  
15 And you spoke about the involvement of the Vice President's  
16 team in that process, so let me ask that other question.  
17 How involved was the Vice President's team in your policy  
18 decisions with respect to Ukraine?

19 MS. NOVELLI: So as I--my main job with respect to  
20 Ukraine was to make sure that, you know, the papers got  
21 processed, and then, you know, we had governmentwide cleared  
22 talking points that we would use when we would meet with  
23 Ukrainian officials. Those governmentwide cleared talking  
24 points were the result of an interagency process that  
25 involved numerous departments, and those were usually

1 provided by Victoria Nuland's cone of people. And so I--  
2 that's how the process worked with respect to what I was--my  
3 intersection with policy towards Ukraine.

4 MR. SCHRAM: So you were not getting instructions from  
5 the Vice President's office to change policy?

6 MS. NOVELLI: That is correct. I was not getting  
7 instruction from the Vice President's office directly.

8 MR. SCHRAM: Ms. Novelli, in the majority's theory of  
9 events, your meeting with Blue Star Strategies was a key  
10 moment in the maneuvering of U.S. policy to serve Hunter  
11 Biden's interests. Is that what happened?

12 MS. NOVELLI: No.

13 MR. SCHRAM: That's it for us, Joe.

14 MR. FOLIO: Ms. Novelli, do you need to take a break  
15 for about 20 minutes or would you like to keep going?

16 MS. NOVELLI: I think we can keep going, for--you know,  
17 it would be good to take a break every hour, but I think I  
18 can manage after 20 minutes.

19 MR. FOLIO: Okay. We'll get started and you just let  
20 us know if you need a break before the house.

21 MS. NOVELLI: Okay. Thanks.

22 MR. FOLIO: Ms. Novelli, when you were Under Secretary  
23 at the State Department did you take any ethics training?

24 MS. NOVELLI: Yes.

25 MR. FOLIO: And how regularly did you take ethics

1 training?

2 MS. NOVELLI: I'm sorry. How what?

3 MR. FOLIO: Regularly.

4 MS. NOVELLI: I think we were required to take it once  
5 a year, and because I was an Under Secretary I had somebody  
6 come and brief me.

7 MR. FOLIO: And from your perspective, what was the  
8 purpose of this ethics training?

9 MS. NOVELLI: The training was to make sure we were  
10 aware of the law with regard to our own behavior, you know,  
11 what we were or were not allowed to do, and to make us aware  
12 of who, within the State Department, we should consult, you  
13 know, if we have questions.

14 MR. FOLIO: And who were you made aware of that you  
15 should consult in the State Department if you had questions?

16 MS. NOVELLI: About my own issues, what I should and  
17 should not do? The Legal Advisor's Office.

18 MR. FOLIO: And as part of your ethics training, was  
19 there any part that addressed your responsibilities with  
20 regard to your staff or people to whom you reported?

21 MS. NOVELLI: Can you--sort of what do you mean by that  
22 exactly? You mean if somebody on my staff was acting in an  
23 unethical way?

24 MR. FOLIO: Did you feel any sense of responsibility to  
25 report unethical behavior by others that you witnessed?

1 MS. NOVELLI: If there was something that somebody on  
2 my staff was doing, I think we would counsel them directly.  
3 I did not encounter anything like that during my time at the  
4 State Department. I didn't encounter anybody on my staff  
5 behaving unethically.

6 MR. FOLIO: Are conflicts of interest part of these  
7 ethical rules and regulations that you were aware of when  
8 you worked at the State Department?

9 MS. NOVELLI: Yes. Those related to like to your own  
10 conflict of interest, you know, like if I had a conflict of  
11 interest. And so yes, there certainly were--there are rules  
12 on conflicts of interest.

13 MR. FOLIO: But what do you understand the general  
14 conflicts of interest of a mission to be?

15 MS. NOVELLI: Well, I'm not an ethics lawyer, but  
16 generally speaking you are not supposed to take a specific  
17 action with regard to a specific matter in which you have a  
18 financial interest.

19 MR. FOLIO: And so if you were taking a specific action  
20 to benefit yourself financially, would that be an ethical  
21 violation?

22 MS. NOVELLI: I believe so.

23 MR. FOLIO: What if you were taking an action that you  
24 believed was in the interest of the United States but it  
25 also had the effect of benefitting your financially? Could

1 that also be an ethical problem?

2 MS. NOVELLI: An action that benefitted you financially  
3 that was in the interest of the United States.

4 MR. FOLIO: Yes.

5 MS. NOVELLI: Could it be a problem? Yes, I would  
6 think so. But again, I am not an ethics lawyer.

7 MR. FOLIO: Yeah. I just want to understand your basic  
8 training at the State Department, your understanding of the  
9 role that conflicts of interest play when, you know,  
10 governing yourself and looking at your staff. And the point  
11 is that it sounds like you're saying that there are direct  
12 conflicts of interest, where you do something to benefit  
13 yourself and not the government, and that would be a  
14 violation, but there are also other conflicts that  
15 potentially could be consistent with U.S. policy, but  
16 nonetheless, based on the employment of your spouse or a  
17 relative, or based on your financial investments, could also  
18 present a potential conflict of interest. Is that right?

19 MS. NOVELLI: As I understand it, the rules are  
20 actually quite specific on what legally is a conflict of  
21 interest as opposed to the appearance of a conflict of  
22 interest. And so your spouse is included in that, but  
23 other--and again, I am not an ethics lawyer--but other  
24 family members who are not your dependents are not included  
25 in that. And the only reason that I--end. That's what I

1 understand. And again, I am not an ethics lawyer, so I am  
2 hardly the authority on this.

3 MR. FOLIO: But when you had ethics questions you said  
4 you would potentially consult the Office of the Legal  
5 Advisor. Were there any other offices in State that you  
6 would speak to about ethics issue?

7 MS. NOVELLI: Were there any other offices? If it was  
8 something that was really serious I could talk to the chief  
9 of staff or my own chief of staff. And these were, just to  
10 be clear, these would be ethics issues that were directly of  
11 State Department employees under my organization, not other  
12 people outside of the State Department.

13 MR. FOLIO: What if you witnessed ethnical issues  
14 involving people outside of the State Department, at other  
15 U.S. Government agencies?

16 MS. NOVELLI: I do not recall witnessing anything like  
17 that, so I can't really tell you what I would do.

18 MR. FOLIO: If you had, is that something you would  
19 have felt bound to have told someone or report it?

20 MS. NOVELLI: I never--I do not remember witnessing  
21 anything like that at all.

22 MR. FOLIO: If you had witnessed something at another  
23 agency, do you know to whom you might have reported that?

24 MS. NOVELLI: I probably would--again, this is pure  
25 speculation, but I probably would go to our Legal Advisor's

1 Office and have them handle it with whatever their  
2 counterpart would be in that agency's legal department.

3 MR. FOLIO: Ms. Novelli, I would like to spend our next  
4 bit of time on the firm Blue Star Strategies. Do you know  
5 the firm, Blue Star Strategies?

6 MS. NOVELLI: Yes.

7 MR. FOLIO: How do you know that firm?

8 MS. NOVELLI: They are a firm that a colleague of mine,  
9 Karen Tramontano, founded, and that's how I know them.

10 MR. FOLIO: And how do you know Ms. Tramontano?

11 MS. NOVELLI: Ms. Tramontano was the deputy chief of  
12 staff in the Clinton administration, and during that  
13 administration I was the chief negotiator for the U.S.-  
14 Jordan free trade agreement, where we had to address labor  
15 and environment questions. So I know of her from that.

16 MR. FOLIO: When did you first meet Ms. Tramontano?

17 MS. NOVELLI: I do not remember exactly when I first  
18 met her. I recall meeting her after I left the  
19 administration, in an issue involving the state of Ohio when  
20 I was at a law firm, and there was a panel discussion about  
21 manufacturing in Ohio. I do not recall actually meeting her  
22 before then. I knew of her, because she was working on  
23 labor issues at the White House when I was negotiating this  
24 agreement.

25 MR. FOLIO: And approximately what year was that, when

1 you were negotiating the agreement?

2 MS. NOVELLI: Let's see. When was the--was there an  
3 election in 2000? So it would have been in 2000, I would  
4 guess. It was at the end of the Clinton administration we  
5 negotiated the agreement, and then the Bush administration  
6 actually submitted the agreement to the Congress for  
7 approval. So whatever year that was, that would have been--  
8 I think that would have been in 2000. But I am going to  
9 have to go back and figure out when the Clinton  
10 administration was. It was the last year of the Clinton  
11 administration. I was a career government employee.

12 MR. FOLIO: When did you first learn about Blue Star  
13 Strategies?

14 MS. NOVELLI: I think that I first learned about them  
15 when I was at Apple, and Apple was looking to try to find  
16 some independent--somebody independent who could look at the  
17 questions of labor issues that were arising in its factories  
18 in China, its factories that Apple didn't own but were owned  
19 by an OEM.

20 And so we were looking around trying to see what--you  
21 know, where we could find something like that, and we hit  
22 upon the Fair Labor Association, the FLA. And Karen was, I  
23 believe, on the board of the FLA. I think she helped even  
24 maybe start it. And it was an organization that had been  
25 formed by textiles manufacturers who were concerned about

1 making sure that the plants that they were using were  
2 inspected and that they could--they were brand names and  
3 they wanted to make sure that, you know, the conditions in  
4 these factories were appropriate. And so they banded  
5 together and then they had this organization, sort of higher  
6 independent inspectors, to go in and then report any issues,  
7 you know, that occurred.

8       So we were looking into whether that would be an  
9 organization that we, at Apple, would be a good one for us  
10 to try to be part of so that we could get some independent  
11 inspection going that would be seen as valid. And that's  
12 when I became aware of Blue Star Strategies, because I went  
13 to talk to--or talked to her on the phone. I don't know if  
14 it was in person or on the phone--talk to Karen about the  
15 organization.

16       MR. FOLIO: And what year was that?

17       MS. NOVELLI: Oh, man. I'm sorry. I don't--I would  
18 have to go back and think about it. I don't know what year  
19 exactly that would have been.

20       MR. FOLIO: Can you give us a general range?

21       MS. NOVELLI: Yeah. It would have been in--let's see,  
22 I joined Apple in 2000, so it would have been sometime  
23 probably 2010-ish, but please don't hold me to that exact  
24 date. I don't remember the exact date, but sometime around  
25 then.

1 MR. FOLIO: So when you re-engaged with Ms. Tramontano  
2 around this time, what did she tell you about Blue Star  
3 Strategies?

4 MS. NOVELLI: That it was a consulting firm that she  
5 had started. That's really about it. She didn't really go  
6 into a lot of detail.

7 MR. FOLIO: Do you know Blue Star Strategies' chief  
8 operating officer, Sally Painter?

9 MS. NOVELLI: I've met Sally maybe once or twice.

10 MR. FOLIO: And when did you first meet Ms. Painter?

11 MS. NOVELLI: I believe when I went to talk to Karen  
12 about this Fair Labor Association, I may have gone to her  
13 office, but at some point when I was having conversations  
14 with her about the Fair Labor Association I got introduced  
15 to Sally, as a, "This is Sally, hi, hello" kind of thing.

16 MR. FOLIO: We would like to talk about your time as  
17 Under Secretary and your relationship with Blue Star and Ms.  
18 Tramontano and Ms. Painter then, but before we go, other  
19 than the circa 2010, you, on behalf of Apple, reaching out  
20 to her, do you have any other work or communication with Ms.  
21 Tramontano, Ms. Painter, or Blue Star between that 2010  
22 contact and the time that you became Under Secretary in  
23 2014?

24 MS. NOVELLI: Well, I mean, we certainly talked about  
25 the FLA. Karen started a nonprofit called the Global

1 Fairness Initiative, that was looking at how to help people  
2 in the gray economy, in very poor countries. One example is  
3 that they bought lanterns for people in India who were  
4 picking through the trash so they wouldn't fall into, you  
5 know, giant holes in the trash at night. So they were  
6 trying to do very practical things. So I certainly knew  
7 about that.

8       It was mostly around the FLA or that I would talk to  
9 her. And sometimes we would talk about trade policy too,  
10 because she had that experience from the Jordan agreement,  
11 and I still was very interested in trade policy from my job  
12 at Apple.

13       MR. FOLIO: So between the time you spoke with her  
14 circa 2010, while you were at Apple, and when you became  
15 Under Secretary in February of 2014, approximately how many  
16 times did you see Ms. Tramontano?

17       MS. NOVELLI: I have no idea. It was infrequent.

18       MR. FOLIO: Would it be fair to say that you've known  
19 Ms. Tramontano for years?

20       MS. NOVELLI: Yes.

21       MR. FOLIO: And would you consider yourself having  
22 worked with her over those years?

23       MS. NOVELLI: I would consider her to be a colleague.  
24 I don't know if I would say "worked with her" precisely.  
25 Certainly we--she was really helpful with regard to the Fair

1 Labor Association.

2 MR. FOLIO: Returning to your time as Under Secretary,  
3 did you become aware of attempts by Blue Star Strategies to  
4 meet with you?

5 MS. NOVELLI: At all, or in general?

6 MR. FOLIO: Yes.

7 MS. NOVELLI: Yes. I had some meetings with Blue Star  
8 Strategies on issues that were directly related to my  
9 portfolio.

10 MR. FOLIO: And what were those issues?

11 MS. NOVELLI: Things like--one of the things, as I  
12 explained we were looking at, is how we could look at supply  
13 chain issues. For example, we were doing a summit with  
14 African leaders, and we wanted to think about how they could  
15 engage more in the global economy. And one of the questions  
16 was going to be about how they could do that in a way that  
17 would allow brands, U.S. brands, to feel comfortable there,  
18 and labor issue are obviously one of those things. We  
19 talked to other people besides her about other things, like  
20 customs and intellectual property protection, et cetera.  
21 Because she had spent a lot of time on those sort of labor  
22 issues and she was busy working through her nonprofit on  
23 this, I talked to her about any ideas she might have about  
24 that, as an example.

25 MR. FOLIO: So did you reach out to her on occasion?

1 MS. NOVELLI: I believe I reached out to her about  
2 that, and then she, for example, came in when the head of  
3 the International Labour Organization, Guy Ryder, was in  
4 town, and she--I don't know, she was squiring him around or  
5 whatever. And we talked to him about Ethiopia, and  
6 specifically because a lot of companies were thinking of  
7 going there, which is a good thing because it would help  
8 develop the Ethiopian economy. And, you know, the question  
9 was, was there a way to not have the kind of disasters that  
10 happened in Bangladesh, you know, where factories were  
11 collapsing on people and killing thousands of people. Was  
12 there a way to, if Ethiopia was starting off new, to start  
13 off in a way that would--could make it be a place that would  
14 be really attractive to companies, because there wouldn't be  
15 those kinds of problems.

16 MR. FOLIO: So understanding that she brought issues to  
17 you that she wanted to speak to you about, I'd just like to  
18 focus for a minute on any occasions in which you initiated  
19 contact, in which you reached out to her. You mentioned the  
20 supply chain issue. Were there any others?

21 MS. NOVELLI: I asked if she would be on a panel. We  
22 had to have outside panelists to judge for the Cobb Award.  
23 It was an award for ambassador that had been endowed by  
24 somebody named Cobb, and Mr. Cobb wanted people who had had  
25 titles previously to be on the panel. So knowing that she

1 had had a title, I reached out to her to be one of the  
2 people on the committee.

3 MR. FOLIO: So during in the time that Ms. Tramontano  
4 or Blue Star was reaching out to you, was the International  
5 Labour leader, Guy Ryder, was that one of the times that she  
6 reached out to you?

7 MS. NOVELLI: Yes.

8 MR. FOLIO: And in what capacity was she reaching out  
9 to you? Was it in her capacity as CEO of Blue Star  
10 Strategies?

11 MS. NOVELLI: Yes.

12 MR. FOLIO: And why did she reach out to you? What was  
13 the purpose of that?

14 MS. NOVELLI: Because she was, I guess--I don't know  
15 exactly her relationship but she knew Guy Ryder very well  
16 and thought that he was somebody that I would benefit from  
17 talking to, because she knew that we were working on these  
18 questions of supply chain and how we could think about them  
19 for developing countries. And Guy Ryder was also thinking  
20 about that as the head of the ILO. So she suggested that it  
21 would be a good meeting.

22 MR. FOLIO: And we'll talk about Blue Star  
23 specifically, but--I'm sorry, Burisma--reaching out to you  
24 about Burisma and its own, Mykola Zlochevsky specifically.  
25 But other than that, were there any other issues or people

1 she reached out to you about, either in her personal  
2 capacity or as CEO of Blue Star Strategies?

3 MS. NOVELLI: Issues or people. Well, I certainly,  
4 again, I looked through all of the documents that you  
5 obtained from the State Department, and it appears that  
6 there were a few other meetings with her. One was with LVMH  
7 to talk about questions of sort of things going on in  
8 Europe, these issues of labor and how to treat workers,  
9 intellectual property. It was sort of a wide-ranging  
10 meeting. And I don't have--the only reason I remember that  
11 is because it was in the papers. It's not something that if  
12 you asked me and I did not have those papers that I would  
13 have remembered.

14 MR. FOLIO: Let's turn to the documents, and I'm going  
15 to ask Will to please pull up our internal  
16 Tab 3, and we're going to mark this as our Exhibit 2.

17 [Novelli Exhibit No. 2 was  
18 marked for identification.]

19 MR. FOLIO: And if you could please scroll down to the  
20 second page, Bates No. 1420.

21 Ms. Novelli, I don't know if you have access to this  
22 document, but just to orient you this is a two-page email,  
23 and then, Will, if you could scroll down to the third page  
24 to show you that pages 3 through 5 are an attachment on the  
25 Global Fairness Initiative. But I would like to ask a

1 question about the email on page Bates No. 1420.

2 MS. NOVELLI: Okay.

3 MR. FOLIO: So in this email on March 19, 2014, Ms.  
4 Tramontano emails you and says that "It was great to see you  
5 yesterday, an unexpected pleasure. I know how busy you are  
6 and don't want to impinge on your time, but if you have a  
7 moment in the upcoming weeks to grab a coffee or whatever I  
8 am available."

9 Will, if you would please scroll up to page 1419. You  
10 respond, "It was such a pleasant surprise to see you at the  
11 advisory committee on Wednesday. I would love to get  
12 together and will copy my assistant who can work with yours  
13 to make it happen as soon as humanly possible."

14 So from this email it seems that you all ran into each  
15 other at the advisory committee meeting on Wednesday. What  
16 was the advisory committee?

17 MS. NOVELLI: I have no knowledge of what that was.  
18 There were a million of these advisory committees about  
19 various topics.

20 MR. FOLIO: Can you just give us a general sense about  
21 what a general advisory committee meeting, what it looked  
22 like, just to set the stage for us?

23 MS. NOVELLI: I don't know which specific advisory  
24 committee meeting this was. As I said, everybody had  
25 advisory committees. There were committees to advise about

1 everything from--there was a big advisory committee about  
2 telecom policy, there was a big--there were advisory  
3 committees about all kinds of issues. So I'm not sure which  
4 advisory committee this would have been.

5 MR. FOLIO: So when you saw Ms. Tramontano at this  
6 advisory committee meeting, what did you discuss?

7 MS. NOVELLI: I don't remember specifically that  
8 meeting, so I can't really tell you. Usually these kind of  
9 committee meetings had anywhere from like 20 to 40 people at  
10 them. And so, you know, often you would see someone you  
11 would know and say hi. But I don't have any memory of  
12 whatever the advisory committee was that she is referring  
13 to.

14 MR. FOLIO: I'll ask Will to pull up our Tab 2, which  
15 we will mark as Exhibit 3.

16 [Novelli Exhibit No. 3 was  
17 marked for identification.]

18 MR. FOLIO: This is a one-page email, Bates marked  
19 2099, dated April 17, 2014. Ms. Novelli, it purports to be  
20 your schedule for Friday, April 18, 2014, so approximately  
21 one month after your email exchange with Ms. Tramontano  
22 about scheduling time to get to coffee, and on your calendar  
23 is says from 2 to 3 p.m., "Coffee with Karen Tramontano."

24 Did you get coffee with Ms. Tramontano on April 18,  
25 2014?

1 MS. NOVELLI: I do not remember what I did on April 18,  
2 2014. That's what the schedule says.

3 MR. FOLIO: Is your schedule usually kept accurately?

4 MS. NOVELLI: It was kept accurately. However,  
5 sometimes meetings would get called, you know, at the White  
6 House, and so everything would be upended. So I don't know  
7 if this schedule was kept accurately or not. You know, I  
8 just don't know.

9 MR. FOLIO: Accurate until it wasn't, right?

10 MS. NOVELLI: You are exactly right.

11 MR. FOLIO: So aside from whether or not you recall  
12 meeting with her on April 18, 2014, did you get coffee with  
13 Ms. Tramontano?

14 MS. NOVELLI: I'm sure that I got coffee with Karen at  
15 some point.

16 MR. FOLIO: And what did you all discuss when you would  
17 meet for coffee?

18 MS. NOVELLI: I do not remember the specifics of any  
19 conversation with her, so I can't really tell you.

20 MR. FOLIO: When you met with Ms. Tramontano, were the  
21 conversations personal or about business?

22 MS. NOVELLI: They were sort of a mixture maybe. But  
23 when I met with her in my office, when she would bring  
24 someone in, they were totally about business, whatever the  
25 topic was.

1 MR. FOLIO: So focusing on this coffee that was  
2 scheduled for April 18, 2014, when you would meet for  
3 coffee, what types of business would you discuss?

4 MS. NOVELLI: I don't know that I met with her for  
5 coffee very often. I can't really--honestly, I'm sorry, I  
6 just don't have a specific memory of what we discussed at  
7 that time, and I don't remember meeting with her for coffee  
8 frequently.

9 MR. FOLIO: Approximately how many times did you meet  
10 with her for coffee?

11 MS. NOVELLI: I mean, obviously I met with her for  
12 coffee, you know, according to that schedule, but I don't  
13 remember doing it any other time while I was Under  
14 Secretary. It's not to say it didn't happen. I just don't  
15 remember.

16 MR. FOLIO: But you are saying at least once you met  
17 with her for coffee.

18 MS. NOVELLI: Apparently, and it appears, from all of  
19 the, you know, the emails and things, that we did actually  
20 meet.

21 MR. FOLIO: Now I'd like to turn back to what we marked  
22 as Exhibit 2, that email chain continues. Sorry. Tab 3.

23 So the email chain that we looked at, which is marked  
24 as Exhibit 2, the prior conversations from March 19 and  
25 March 21, 2014, the next email is from Ms. Tramontano to you

1 several months later, specifically on May 16, 2014. And in  
2 that email Ms. Tramontano thanks you for your time, and she  
3 wrote "that it's so great to see you in your new digs and to  
4 have such a delightful and wide-ranging conversation."

5 Did you meet with Ms. Tramontano on or about May 16,  
6 2014?

7 MS. NOVELLI: I don't remember it. I would presume  
8 this was related to that coffee, but I don't know. I don't  
9 remember specific dates when I met with Karen in my office.

10 MR. FOLIO: What did you guys discuss in your  
11 "delightful and wide-ranging conversation"?

12 MS. NOVELLI: I'm sorry. I really just don't remember.

13 MR. FOLIO: Other than the coffee, approximately how  
14 many times did you meet with Ms. Tramontano in your office?

15 MS. NOVELLI: A few, from what I can tell from the  
16 documents that I have. I don't remember frequently meeting  
17 with her.

18 MR. FOLIO: But compared to the coffees, would it be  
19 fair to say that most of your meetings were in your office  
20 as opposed to coffee or otherwise offsite, when you were  
21 Under Secretary?

22 MS. NOVELLI: As I said, the only thing that appears to  
23 be a coffee was that one meeting. I do not remember having  
24 coffee with her otherwise.

25 MR. FOLIO: So to orient you around May 16, 2014, this

1 was the same week that Hunter Biden was announced to join  
2 the board of directors of Burisma. Did you discuss Hunter  
3 Biden joining the board of Burisma with Ms. Tramontano?

4 MS. NOVELLI: I am certain I did not discuss that.

5 MR. FOLIO: My colleague, Quinton, from Chairman  
6 Grassley's staff, has a few questions for you.

7 MR. BRADY: Ms. Novelli, can you hear me?

8 MS. NOVELLI: Yes.

9 MR. BRADY: My name is Quinton Brady. I am an  
10 investigative counsel for Chairman Grassley. I am using  
11 Josh Flynn-Brown's computer.

12 Will, could you open up the new document? This is our  
13 Tab 4, for us Exhibit 4 as well.

14 [Novelli Exhibit No. 4 was  
15 marked for identification.]

16 MR. SCHRAM: Quinton, is it possible for you to turn  
17 the camera on so we can see who is speaking?

18 MR. BRADY: Sure. Can you see me?

19 MS. NOVELLI: No, I can't see you.

20 MR. BRADY: You cannot?

21 MS. NOVELLI: No.

22 MR. BRADY: Oh, it's because the screen is being shared  
23 with the document that we are presenting you.

24 MS. NOVELLI: Okay.

25 MR. SCHRAM: Yeah, I can see you. The camera is

1 working now.

2 MR. BRADY: Okay. Great. In an email dated July 3,  
3 2014, you emailed Ms. Tramontano saying, "It was fun to talk  
4 with you last month." She subsequently asked, Ms.  
5 Tramontano, to serve on the Cobb Awards selection committee.  
6 I believe you mentioned this briefly a moment ago.

7 MS. NOVELLI: Yes.

8 MR. BRADY: Can you restate why you asked Ms.  
9 Tramontano to serve on the Cobb selection committee?

10 MS. NOVELLI: As I said, the man, Cobb, Charles Cobb,  
11 who endowed the award, wanted to have people who had had  
12 titles to be on the selection committee. So, for example,  
13 we also asked Dan Sullivan, Senator Sullivan, who I'd worked  
14 at the State Department, if he would serve on the committee  
15 as well.

16 MR. BRADY: Did Ms. Tramontano serve on the Cobb Awards  
17 selection committee?

18 MS. NOVELLI: She did.

19 MR. BRADY: Had she ever served there before?

20 MS. NOVELLI: I don't know.

21 MR. BRADY: Do you know what the criteria is for  
22 someone to sit on the Cobb Award selection committee?

23 MS. NOVELLI: You know, I don't remember the specific  
24 criteria, no.

25 MR. BRADY: Okay, just generally that it was someone

1 with a title?

2 MS. NOVELLI: Yes, who had knowledge of international  
3 issues and was, you know, familiar with the State  
4 Department.

5 MR. BRADY: Who else served on the Cobb Awards  
6 selection committee with you that year?

7 MS. NOVELLI: I do not remember the list. I'm sure we  
8 can get it from the State Department.

9 MR. BRADY: Do the names Charles Cobb, Matthew McGuire,  
10 and Carolyn Brehm sound familiar?

11 MS. NOVELLI: Yes. Charles Cobb was the person who  
12 endowed the award, Carolyn Brehm was at Procter & Gamble at  
13 the time, and Matthew McGuire, I don't remember his  
14 credentials.

15 MR. BRADY: Do you recall the topic of conversation  
16 that you reference, that appears took place in either July  
17 or May of 2014, when you sent that email?

18 MS. NOVELLI: I'm sorry. I don't know what you're--the  
19 topic I referenced?

20 MR. BRADY: Yes. In your email you said, "It was fund  
21 to talk with you last month." Do you recall what you spoke  
22 to Ms. Tramontano about?

23 MS. NOVELLI: No.

24 MR. BRADY: Is it possible that the topics of Hunter  
25 Biden or Burisma Holdings came up during those

1 conversations?

2 MS. NOVELLI: I am certain they did not.

3 MR. BRADY: Thank you, Ms. Novelli. That's all from  
4 me.

5 MS. NOVELLI: I think I'm ready for a break if you guys  
6 are okay with that.

7 MR. FOLIO: Sorry. That's perfectly fine. It's 12:05.  
8 Would you like to take a short bio break or would you like  
9 to take a longer lunch break? I think either could be  
10 appropriate now.

11 MS. NOVELLI: How about if we took like a 15-minute  
12 break? Would that be okay?

13 MR. FOLIO: Sure.

14 MS. NOVELLI: That would be enough time to eat  
15 something and come back.

16 MR. FOLIO: Does that work for everyone else?  
17 We will kind of reconvene at 12:20.

18 MS. NOVELLI: Okay. Thank you.

19 MR. FOLIO: Thanks.

20 [Whereupon, at 12:06 p.m., the interview was recessed,  
21 to reconvene at 12:20 p.m. this same day.]

22

23

24

25

1 AFTERNOON SESSION

2 [12:25 p.m.]

3 MR. FOLIO: Ms. Novelli, I wanted to continue by  
4 turning--

5 MS. NOVELLI: Sorry.

6 MR. FOLIO: Speaking of the dogs.

7 I wanted to begin by turning to a document that is our  
8 Tab 5, but we're going to mark it as Exhibit 5.

9 [Novelli Exhibit No. 5 was  
10 marked for identification.]

11 MR. FOLIO: The last email you discussed was from July  
12 2014. This is going to be a scheduling email for you from  
13 November 17th, 2014, sending out a schedule for November  
14 18th, 2014, and if you scroll down to the 3:00 p.m. to 3:30  
15 p.m. time slot, the entry is ILO Director, General Guy  
16 Ryder, Karen Tramontano, CEO, Blue Star Strategies.

17 Ms. Novelli, is this the meeting that you discussed  
18 previously with the International Labour Organization  
19 director, Guy Ryder?

20 MS. NOVELLI: Yes.

21 MR. FOLIO: And did this meeting occur?

22 MS. NOVELLI: Yes.

23 MR. FOLIO: And what was the purpose of this meeting?

24 MS. NOVELLI: As I said before, the purpose was that we  
25 were looking at how we could--how we could help or get the

1 ILO to help in developing countries who were trying to  
2 attract manufacturing, you know, to their country and how we  
3 could think about trying to be more proactive--or they  
4 could, those countries could, as they were trying to start  
5 off, countries like Ethiopia. And that was a particular one  
6 that we were thinking about because we thought that there  
7 was an opportunity for those countries to develop  
8 economically if they could, this among other issues, not  
9 just this one, but this happened to be the one that was  
10 under this Guy Ryder's purview, that if they could get  
11 issues like this, issues like intellectual property, and  
12 issues like customs and getting rid of corruption in  
13 customs, et cetera, if we could get those things set better,  
14 that that would help those countries develop.

15 MR. FOLIO: Did Ms. Tramontano join this meeting?

16 MS. NOVELLI: Yes.

17 MR. FOLIO: And why was she there?

18 MS. NOVELLI: She, as I understand it--as I understand  
19 it, I don't know if she was representing them. I know that  
20 she knew Guy Ryder personally. So I assume that somehow--I  
21 don't know if Blue Star was representing him or if she just  
22 knew him. I don't know.

23 MR. FOLIO: Did you understand Ms. Tramontano to be  
24 there in her official capacity on behalf of Blue Star  
25 Strategies?

1 MS. NOVELLI: I believe so. I didn't really think  
2 about it, one way or another, to be honest.

3 MR. FOLIO: I'd like to turn to a document we will mark  
4 as Exhibit 6.

5 [Novelli Exhibit No. 6 was  
6 marked for identification.]

7 MR. FOLIO: Oh, I'm sorry. I know we've left that  
8 document, but just one more question about Exhibit 5.

9 MS. NOVELLI: Okay.

10 MR. FOLIO: So he was ostensibly with Guy Ryder. Ms.  
11 Tramontano was there. Did your discussion address anything  
12 other than the topics you've described to us today?

13 MS. NOVELLI: I don't--that's what I remember about the  
14 meeting.

15 MR. FOLIO: Did it venture into any other clients that  
16 Blue Star might have had such as Burisma?

17 MS. NOVELLI: Oh, I'm certain Burisma was not  
18 discussed.

19 MR. FOLIO: Just trying to understand, why are you  
20 certain?

21 MS. NOVELLI: Because we were talking about--only about  
22 the questions of labor and how to look at labor norms.  
23 That's what the meeting was about. I do not recall anything  
24 about Burisma being discussed.

25 MR. FOLIO: And in general, was Ms. Tramontano the type

1 of person who might have a meeting with you about Topic A  
2 and then at the end of the meeting say, "Oh, by the way, one  
3 more thing," on something totally different?

4 MS. NOVELLI: That was not the usual types of meetings,  
5 that when she would be involved, we would talk about  
6 whatever the topic was, and then she would leave. And to be  
7 honest, I mean, my schedule, as you can see here, was in  
8 half-hour increments, and so there was no, like,  
9 chitchatting after a meeting. My secretary would have to  
10 basically come in with a hook to, like, move people out  
11 because the next people were already waiting two deep in my-  
12 -you know, in the waiting room.

13 MR. FOLIO: Okay. SO now let's turn to Exhibit 6.  
14 This is a longer document, Bates No. ending in 513 and 522.

15 And on the first page, which is dated October 21st,  
16 2015, the subject line is USGLC Global Initiative. What is  
17 the USGLC Global Initiative?

18 MS. NOVELLI: Sorry. The USGLC luncheon?

19 MR. FOLIO: Correct, the luncheon, the attachment.

20 MS. NOVELLI: The GLC--I don't remember what those--  
21 Global Leadership Conference, I think that's what it was  
22 called, or Global Leadership Committee. It's a private-  
23 sector, nonprofit group that is made up of companies that  
24 try to support efforts of the State Department and U.S.  
25 diplomacy for U.S. global leadership. So it's a private-

1 sector group. It's not a government group.

2 And Liz Schrayer is the president and CEO. I think she  
3 still is, actually.

4 MR. FOLIO: So this document is an email, and it's a  
5 memorandum addressed to you. Why did you receive this  
6 document?

7 MS. NOVELLI: You know, I don't know. I can only tell  
8 you what the document says, that I was going to be at a  
9 lunch they were hosting.

10 MR. FOLIO: Did you participate in the GLC luncheon?

11 MS. NOVELLI: If my schedule says I did, I'm sure I  
12 did. I don't have any memory of this luncheon.

13 MR. FOLIO: And--

14 MS. NOVELLI: And could I just say--could I just say if  
15 you looked at my schedule there in half-an-hour increments,  
16 I had thousands of meetings in the time that I was Under  
17 Secretary. So, you know, it's rare for me to remember the  
18 details of any given meeting.

19 MR. FOLIO: So if you were scheduled to participate in  
20 a luncheon, what purpose is served by you getting a memo  
21 like this, like a background briefing memo to familiarize  
22 yourself with the--

23 MS. NOVELLI: I could only see the first, like, few  
24 lines of it. So I don't know what else is in this memo.

25 MR. FOLIO: We can scroll through and show you that.

1 MS. NOVELLI: Sorry. You--okay. Okay. Keep going.

2 Mm-hmm. Okay. Okay.

3 So I think the purpose of something like this would be  
4 to sort of say, okay, this is what these folks here who are  
5 going to be here are expecting to hear about. These are the  
6 areas that, you know, we--that they're expecting to hear  
7 about from you.

8 And I think if you go down there, it describes what the  
9 USGLC is actually.

10 MR. FOLIO: Were you aware that Hunter Biden was on the  
11 board of the U.S. Global Leadership Coalition?

12 MS. NOVELLI: No.

13 MR. FOLIO: Have you ever met Hunter Biden?

14 MS. NOVELLI: I do not recall meeting him.

15 MR. FOLIO: I'm going to turn to a document we will  
16 mark as Exhibit 7. It's heavy. This is document Bates Nos.  
17 ending in 870 through 878.

18 [Novelli Exhibit No. 7 was  
19 marked for identification.]

20 MR. FOLIO: And, Ms. Novelli, we're going to spend some  
21 time on this document, which is emailing you a background  
22 memorandum for an October 2015 meeting with Blue Star  
23 Strategies, but I wanted to turn to page 873, the contact  
24 sub-header or another purpose from--

25 Stop right there, Will.



1 MR. FOLIO: Received from the party with whom you're  
2 meeting?

3 MS. NOVELLI: No. Background memorandums were prepared  
4 by the--by my staff and in working with whomever the  
5 appropriate people were within the State Department who were  
6 responsible for whatever the topic was, and the way that the  
7 thing worked is that my staff was responsible for--the  
8 person who makes up the schedule was responsible for making  
9 sure that all the papers for the meetings that I had were  
10 compiled together in a briefing book so that I would be able  
11 to look at those papers before the meeting.

12 And, again, you can see that it's kind of a crunched  
13 scheduled--excuse me--and so they--this was their own  
14 notation saying "paper received." I didn't actually see  
15 these kind of documents myself. I would see my schedule,  
16 but these notations that a "paper received" or it says  
17 "agenda received," I never saw that. That was--their job  
18 was to make sure that all the stuff was there that was  
19 supposed to be there for the given meeting.

20 MR. FOLIO: Scroll down a little bit on that page.  
21 Your 4:30 p.m. meeting for that day is a weekly meeting with  
22 Amos Hochstein.

23 MS. NOVELLI: Yes.

24 MR. FOLIO: Who is Amos Hochstein?

25 MS. NOVELLI: He was the--I don't know his exact title,

1 but he worked on energy issues. And I'm just smiling at the  
2 "weekly meeting" because we very infrequently met. The  
3 intention was to have a weekly meeting. We very  
4 infrequently met because he traveled a lot.

5 MR. FOLIO: And what was the purpose of your not always  
6 regular weekly meetings with Mr. Hochstein?

7 MS. NOVELLI: It was just for him to sort of bring me  
8 up to speed on, you know, if there was some issue that--or  
9 issues that were something that, you know, for my  
10 situational awareness, basically.

11 MR. FOLIO: I think you said you couldn't remember his  
12 title, but where was he positioned? Did he work in a bureau  
13 underneath you?

14 MS. NOVELLI: He worked underneath, yeah, the Under  
15 Secretary, and as I said, he did energy issues. There was  
16 some fight about whether that was a bureau or not a bureau.  
17 It needed congressional approval, and there were some  
18 Senators who didn't want it to be a bureau. So it--I don't  
19 think it was called a bureau, but that group of people  
20 worked on energy issues. And he was in charge of that  
21 group.

22 MR. FOLIO: I think earlier, this is what you referred  
23 to as the energy department. That was not a bureau?

24 MS. NOVELLI: Yeah.

25 MR. FOLIO: And so was this one of the--we'll just say

1 entities that reported to you as the Under Secretary?

2 MS. NOVELLI: Yes, on paper.

3 MR. FOLIO: Paper. So who was in charge of the energy  
4 department?

5 MS. NOVELLI: Amos Hochstein.

6 MR. FOLIO: So it was Amos Hochstein?

7 MS. NOVELLI: Yeah. For part of the time, I guess, at  
8 that point, yes, him. Before that, it was Carlos Pascual,  
9 and he resigned from the State Department. He was a career  
10 foreign service officer, and he retired from the State  
11 Department. And Amos was his deputy and then assumed that  
12 position.

13 MR. FOLIO: Did you ever discuss Ukraine issues with  
14 Mr. Hochstein?

15 MS. NOVELLI: I don't recall specific discussions with  
16 him about Ukraine, but I would suspect that because he spent  
17 a lot of time working on Ukraine that there were issues that  
18 would come up.

19 Most of the things that we would talk about with regard  
20 to Ukraine were about questions involving the EU and the  
21 EU's access to energy from Russia, and the pipelines went  
22 through Ukraine.

23 MR. FOLIO: When you say "we," you meant you and Mr.  
24 Hochstein? That's what you spent time discussing?

25 MS. NOVELLI: Correct. Well, and he was working on

1 many other issues. He was working on energy in the Middle  
2 East. He was working on questions of--I guess there have  
3 been some big fines of--I don't know if it was oil or gas in  
4 Israel's territorial waters, and so there were--he was  
5 trying to broker some deals that had to do with Israel and  
6 Egypt and Israel and Jordan. Also, there were issues  
7 involving Turkey and whether pipelines of energy that would  
8 be used by the EU would go through Turkey or go through  
9 elsewhere. So they were mostly those kinds of issues.

10 MR. FOLIO: You say he spent a lot of his time working  
11 on Ukraine issues. What were those issues?

12 MS. NOVELLI: I don't know specifically since he was  
13 responsible for energy. I presume they were energy issues  
14 related to Ukraine, but I don't--I didn't really--as I said,  
15 I met with him in frequently because he was traveling, and I  
16 don't know the details of the things that he was working on.

17 MR. FOLIO: Were there any specific things with regard  
18 to U.S. policy towards Ukraine that he brought to your  
19 attention?

20 MS. NOVELLI: I don't recall things that he brought to  
21 my attention. That's not to say he didn't, but I don't have  
22 a memory of precise things that he brought to my attention.

23 MR. FOLIO: So earlier you said that he reported to you  
24 on paper. To whom did he report, I guess, in reality?

25 MS. NOVELLI: He spent a lot of time working directly

1 with Secretary Kerry. He spent a lot of time working with  
2 people at the White House. So he--yeah. So I don't know if  
3 I'd call it "reporting," but he certainly worked with them  
4 quite a bit.

5 MR. FOLIO: And why was that?

6 MS. NOVELLI: Why was that? I don't--I mean, that was  
7 just the way he operated.

8 MR. FOLIO: Was it more of a him decision or a decision  
9 by others? Because, ostensibly, you know, he falls within  
10 your remit.

11 MS. NOVELLI: I did ostensibly fall within my remit. I  
12 think it was--I don't know. I honestly don't know. I mean,  
13 he certainly was very active in his portfolio, and worked--  
14 he worked on his portfolio. And I tried to focus my time,  
15 because I had so many things I was responsible for, on  
16 things where I felt like I could myself make a contribution.  
17 And so I didn't spend that much time on those issues because  
18 he was occupying that space.

19 MR. FOLIO: Did you have awareness as to what he was  
20 working on and how he was coordinating that with Secretary  
21 Kerry in the White House?

22 MS. NOVELLI: I don't know what you mean by  
23 "awareness." I mean, I generally knew that he was working  
24 with the White House, you know, and often, these meetings  
25 that we were supposed to have weekly, did not occur because

1 he was at the White House or someplace else or out of town  
2 or whatever. So I had that kind of awareness. I didn't  
3 really know, on a day-to-day basis, what he was doing.

4 MR. FOLIO: And which issues did he take to Secretary  
5 Kerry and the White House? Was it all of them?

6 MS. NOVELLI: You know, I don't really know. I don't  
7 really know. I wasn't involved in the minutiae of what he  
8 was doing.

9 MR. FOLIO: So I think this is a good point to  
10 transition. We have a couple of minutes left, but we were  
11 going to move to a newer and longer document, so I think  
12 it's probably best for us to hand the proverbial microphone  
13 to Zack or someone from his team to proceed from there.

14 MS. NOVELLI: Okay.

15 MR. SCHRAM: Joe, I don't have any questions at this  
16 juncture. Dan, do you?

17 MR. GOSHORN: Yeah. I just wanted to clarify  
18 something. So the majority has asked you about several  
19 meetings you had with Blue Star in 2014 and 2015, so far.  
20 And so to be clear, do you recall discussing Hunter Biden or  
21 Burisma at any of those?

22 MS. NOVELLI: No.

23 MR. GOSHORN: Are you aware of the date on which Blue  
24 Star began its relationship with Burisma?

25 MS. NOVELLI: No.

1 MR. GOSHORN: So according to a document that Blue Star  
2 provided to Committee, Blue Star's relationship with Burisma  
3 began in November of 2015. Were you aware of that?

4 MS. NOVELLI: No.

5 MR. GOSHORN: No. In your experience you said you have  
6 had thousands of meetings, you know, in your role. You  
7 know, if you're meeting a representative for a company or a  
8 lobbyist, is it something that happens frequently that they  
9 mention persons who are not their clients, and raise  
10 interests for people who they have no relationship with in  
11 those meetings? Does that happen frequently?

12 MS. NOVELLI: No.

13 MR. GOSHORN: Okay. That's all I have. Thank you.

14 MR. FOLIO: Okay. Ms. Novelli. We are going to turn  
15 back to what we previously marked as Exhibit 7. Again, this  
16 document, the Bates Nos. end in 870 through 878.

17 The first two pages, Ms. Novelli, and we can scroll  
18 through and show them to you, it's an email requesting  
19 clearance at a BCL for Novelli meeting with Blue Star  
20 Strategies regarding macro financial assistance for Ukraine.  
21 What's a BCL?

22 MS. NOVELLI: It's a briefing memo.

23 MR. FOLIO: And briefing memos are something you  
24 received regularly as part of your work as Under Secretary?

25 MS. NOVELLI: Yes. I would receive briefing memos for

1 meetings that I was having.

2 MR. FOLIO: Okay. And I want to focus on the briefing  
3 memo but I'll ask Will to scroll slowly through the next two  
4 pages, cover emails, which was attached. If there's  
5 anything you'd like to move more slowly on please speak up.

6 MS. NOVELLI: Okay. Can you stop right there? Okay.

7 MR. FOLIO: Ms. Novelli, sorry. Before we leave that,  
8 this emails says--it starts with an "E has met with them  
9 before." Who is E?

10 MS. NOVELLI: I'm E.

11 MR. FOLIO: Okay. And what does that stand for?

12 MS. NOVELLI: It's stands for the Under Secretary for  
13 Economic Growth, Energy, and the Environment. E. E is the  
14 initial. Everybody in the State Department has an initial.  
15 So the Secretary is S, the Deputy Secretary is D, the Under  
16 Secretary for Political Affairs is P, and I was E. And  
17 there were some other alphabet people, and then, you know,  
18 people like EB is Economic and Business, that is underneath  
19 E.

20 MR. FOLIO: I'm still trying to understand why Bill  
21 Killion, who is on the phone, works at H. That means  
22 Legislative Affairs.

23 MS. NOVELLI: I know. I've never understood why H is  
24 Legislative Affairs either.

25 MR. FOLIO: And I think this is addressed in the memo,

1 but looking at that second bullet point, that second bullet  
2 points starts--and again, this is a reflection of issues  
3 that Blue Star would like to raise in their meeting with  
4 you--

5 MS. NOVELLI: Mm-hmm.

6 MR. FOLIO: --it says, "Knowing of Under Secretary  
7 Novelli's critical role in Ukraine loan agreement, we would  
8 like to learn more about U.S. capacity to grant greater  
9 economic aid to Ukraine."

10 MR. SCHRAM: Joe, sorry to interrupt, but as is  
11 tradition, because you didn't identify exhibits for us in  
12 advance, it will take us a moment to find this document. So  
13 if you could please hold your questioning until we have it.

14 MR. FOLIO: Oh, sure, thanks. Sorry. We talked about  
15 this about 10 minutes ago so I think you'd already--

16 [Pause.]

17 MR. SCHRAM: Okay. Thank you.

18 MR. FOLIO: So on that second bullet point, Ms.  
19 Novelli, they are referring to, again, I think their term is  
20 the critical role you play in Ukraine loan agreement. From  
21 your perspective, to what is that referring? What part of  
22 your roles and responsibilities?

23 MS. NOVELLI: Well, I think I went over this, where we  
24 basically process the paperwork to release the funds, you  
25 know, the ESF funds or the loan guarantees. That was people

1 underneath me who did that. So, presumably, whoever sent  
2 this email understood what our function was.

3 MR. FOLIO: So it said that from their perspective they  
4 wanted to have this meeting so that they could learn more  
5 about the U.S. capacity to grant greater economic aid to  
6 Ukraine.

7 MS. NOVELLI: Mm-hmm.

8 MR. FOLIO: So by asking for a meeting with you were  
9 they coming to the right place?

10 MS. NOVELLI: It was one of the places they could come.  
11 There are other places they could have gone, and I presume  
12 they did. I don't really know.

13 MR. FOLIO: What are some of those other places?

14 MS. NOVELLI: They could have gone to the Assistant  
15 Secretary for Europe, Victoria Nuland. They could have gone  
16 to the Treasury Department. They could have gone to the  
17 White House. I mean, those are the sort of key places they  
18 could go.

19 MR. FOLIO: I'll ask Will to scroll to through the next  
20 page, the third page, which is still part of the email. Let  
21 us know if you'd like to stop.

22 MS. NOVELLI: Okay. Keep going. Okay. Okay.

23 MR. FOLIO: This brings us back to the page that is  
24 Bates marked 873, which is the beginning of the memorandum  
25 to you about your meeting with Karen Tramontano and Sally

1 Painter from Blue Star Strategies on October 30, 2015 at  
2 2:30 p.m.

3 MS. NOVELLI: Mm-hmm.

4 MR. FOLIO: Starting with the beginning, the context  
5 paragraph says that the Open Society Foundation, led by  
6 George Soros, retained Blue Star Strategies to assist them  
7 in promoting greater economic aid for Ukraine. What is the  
8 Open Society Foundation?

9 MS. NOVELLI: I, you know, I only know what I've read  
10 in the paper. I don't know it otherwise.

11 MR. FOLIO: What was your understanding of Blue Star  
12 Strategies' relationship with the Open Society Foundation?

13 MS. NOVELLI: Well, my understanding--I mean, I should  
14 tell you I have no specific recollection independent of this  
15 paper of that meeting.

16 MR. FOLIO: Okay.

17 MS. NOVELLI: So just reading what's in the paper here  
18 it says that they retained Blue Star Strategies. So that's--  
19 -I have no independent memory of this meeting and I, you  
20 know, I read my briefing paper before the meeting occurred.  
21 And the only reason I know that is because of the memorandum  
22 of conversation that came after it, where I followed the  
23 talking points that were in this paper.

24 MR. FOLIO: And from your perspective, if Blue Star  
25 Strategies was asking for this meeting on behalf of Open

1 Society Foundation, would that be asking for a meeting in  
2 their official capacity as a representative of Open Society  
3 Foundation?

4 MS. NOVELLI: I'd presume so. I mean, that was very  
5 typical of firms to ask for meetings on behalf of their  
6 clients.

7 MR. FOLIO: What's your understanding of the Open  
8 Society Foundation and its goals for Ukraine?

9 MS. NOVELLI: I don't have any independent knowledge of  
10 the Open Society Foundation's goals for Ukraine.

11 MR. FOLIO: So we've reviewed this document before, but  
12 you're welcome to take some time to review it again. Based  
13 on this memorandum that was prepared for you, what was the  
14 purpose of meeting with representatives from the Open  
15 Society Foundation about Ukraine?

16 MS. NOVELLI: Would I be able to--could you please  
17 scroll down so that I can read the rest of it? Thank you.

18 [Pause.]

19 MS. NOVELLI: Okay. Could you keep scrolling, please?

20 [Pause.]

21 MS. NOVELLI: Okay. Keep scrolling, please.

22 [Pause.]

23 MS. NOVELLI: Okay.

24 [Pause.]

25 MS. NOVELLI: Okay. Keep scrolling.

1 [Pause.]

2 MS. NOVELLI: I'm sorry. Could you go back up one more  
3 line? Thank you.

4 [Pause.]

5 MS. NOVELLI: Okay.

6 [Pause.]

7 MS. NOVELLI: Okay. Keep going.

8 [Pause.]

9 MS. NOVELLI: Okay. Keep going.

10 [Pause.]

11 MS. NOVELLI: Okay. Okay.

12 MR. FOLIO: I wasn't going to ask about the tabs.

13 MS. NOVELLI: Okay. Okay. No, I don't need to review  
14 them if you're not asking about them.

15 MR. FOLIO: So having reviewed the memo, does the memo  
16 refresh your recollection about having this meeting with Ms.  
17 Tramontano and Ms. Painter about their client, the Open  
18 Society Foundation?

19 MS. NOVELLI: To be honest, I do not remember this  
20 meeting. I just don't have any specific recollections of  
21 this meeting.

22 MR. FOLIO: Can you help us understand, why would the  
23 Open Society Foundation hire someone like Blue Star to  
24 advocate on their behalf?

25 MR. NASH: I'm going to object to that question, Joe,

1 if you're asking why an entity, which doesn't have a mind of  
2 its own, but even if it was a person you are talking about,  
3 I don't think it would be appropriate to ask Kathy what  
4 their motivation would be.

5 MR. FOLIO: I'm sorry. I prefaced my question by  
6 asking, from her perspective, because it sounds like she  
7 takes, or took lots of meetings with attorneys or consulting  
8 firms that were advocating on behalf of clients. Every  
9 client is a little bit different, so I wanted to understand,  
10 from her perspective, what she thought an organization like  
11 the Open Society Foundation was hoping to achieve, as  
12 someone who was addressed in the background memo, you know,  
13 by hiring a consulting firm and then scheduling a meeting  
14 with her, in her role as Under Secretary.

15 MS. NOVELLI: You know, I can't really say why they  
16 would hire an outside consultant. Obviously, the memo talks  
17 about what their goals were, what they wanted to achieve.  
18 But I can't tell you why they hired an outside consultant.

19 MR. FOLIO: And when you would receive information  
20 about the position that an external entity like the Open  
21 Society Foundation was taking, what would you do with that  
22 information and how would you review it, I guess, in the  
23 context of U.S. foreign policy goals. Obviously this  
24 organization had its own goals, but what would you do with  
25 information that you learned in meetings like this?

1 MS. NOVELLI: I guess take it on board. I mean, listen  
2 to what they had to say.

3 If you notice, in that briefing memo, there was a  
4 question I asked, which was what are the winning arguments  
5 you think that are--you know, that would be here. So--and  
6 it--again, just from reading the memo, it sounded like there  
7 was a lot of--that the Open Society Foundation also wanted  
8 Ukraine to be economically viable as did the U.S.  
9 Government.

10 So it would be normal to meet with somebody who is  
11 talking about those kind of things, and I should say the  
12 meetings that were--that are held aren't just with me.  
13 There's all kinds of other people sitting there, including  
14 people from the Ukraine desk and elsewhere, and so it's  
15 helpful information for lots of people, not just me.

16 MR. FOLIO: So on page 875 of the document, it lists  
17 the participants as just being you, Ms. Tramontano and Ms.  
18 Painter. Does that indicate that it was only the three of  
19 you, or in light of what you just said, could others have  
20 participated in this meeting?

21 MS. NOVELLI: No, I would--and in fact, if you look at  
22 the--there's another document that is the memo, memorandum  
23 of conversation, and I don't remember who write it. But  
24 that person was there taking notes, and when I would have  
25 meetings like this, there would be somebody from my staff

1 plus other people who would have an interest in whatever the  
2 information is from other bureaus.

3 So that participant list on our side is not accurate.

4 MR. FOLIO: Looking at the first page of the memo,  
5 which is Bates No. 873, the top paragraph, header contact--

6 MS. NOVELLI: Sorry. It's not there yet. Contacts.  
7 Okay.

8 MR. FOLIO: So just for the bolded sentence, that  
9 sentence reads: "Blue Star Strategies is aware of your role  
10 in sovereign loan guarantees for Ukraine and would like to  
11 discuss the U.S. Government's capacity to provide greater  
12 economic aid to Ukraine."

13 MS. NOVELLI: Mm-hmm.

14 MR. FOLIO: We talked about this in the lead-up to the  
15 memo. Again, it sounds like you were one of the people for  
16 whom it would make sense to have that conversation with; is  
17 that right?

18 MS. NOVELLI: Yes.

19 MR. FOLIO: On 874, the next page, under the sub-header  
20 2, U.S. support for Ukraine--

21 MS. NOVELLI: Sorry. Keep going. Okay, I see it.

22 MR. FOLIO: It summarizes that the United States  
23 Government has provided approximately \$569 million in  
24 assistance since the crisis began to help Ukraine respond to  
25 the crisis, advance reforms, strengthen institutions. In

1 addition, President Obama intends to move forward with a  
2 third \$1 billion loan guarantee for Ukraine in the coming  
3 months.

4 So this is October 2015--

5 MS. NOVELLI: Mm-hmm.

6 MR. FOLIO: --when the President decides that the  
7 government is going to move forward with a third \$1 billion  
8 loan guarantee, especially if you've been through this at  
9 least once, if not twice, before. What does mean when the  
10 President makes that decision to move forward with a loan  
11 guarantee? What's the process that follows?

12 MS. NOVELLI: I think if you--if you scroll down a  
13 little bit to be under background--you can scroll down a  
14 little bit where it says "The United States and Ukraine must  
15 now negotiate the terms, including the conditions  
16 precedent," that's the process.

17 MR. FOLIO: And had you prior to this loan guarantee in  
18 October 2015--were you involved in the approval of either of  
19 the two previous sovereign loan guarantees?

20 MS. NOVELLI: I do not recall; however, if they were  
21 occurring while I was there, then, you know, I would have  
22 been involved.

23 I was not personally involved in coming up with the  
24 conditions precedent, however. That was not something that  
25 I personally did.

1 MR. FOLIO: Were you kept in the loop about the  
2 conditions that would have to be met before you could  
3 process them?

4 MS. NOVELLI: Not at a level of specificity. Now,  
5 someone might say--usually, you know, there would be--there  
6 would be a negotiation about the terms, and then, you know,  
7 what those terms were. And then--and somebody would say,  
8 "We're still negotiating terms," but they wouldn't  
9 necessarily go into the details of what those were to me.  
10 There were people underneath me who were working on the  
11 details of this.

12 And then similarly with the conditions precedent,  
13 somebody would say, "Okay. Ukraine has met these  
14 conditions." So, you know, now we can move ahead.

15 MR. FOLIO: How long would it take to negotiate the  
16 terms of the sovereign loan guarantee to Ukraine?

17 MS. NOVELLI: You know, I do not know precisely. It  
18 wasn't something that happened in a day or even a week. I  
19 mean, it was a lengthy process.

20 MR. FOLIO: It sounds like you may have seen a document  
21 about this, but were you aware that State Department  
22 officials created readouts of your meetings and provided  
23 them to others?

24 MS. NOVELLI: Yes. That was what they were supposed to  
25 do.

1 MR. FOLIO: And do you know the officials that  
2 typically received the readouts of your meetings?

3 MS. NOVELLI: It would depend on, you know, what the  
4 meeting was.

5 MR. FOLIO: So for this meeting with the Open Society  
6 Foundation representatives, Blue Star Strategies, did you  
7 know that Ambassador Pyatt received a readout of the  
8 meeting?

9 MS. NOVELLI: I know that because of the document and  
10 his email thanking them for sending it to him. I would say  
11 that's--that is a normal thing, though, because you're  
12 trying to make sure the ambassador to the country is kept  
13 informed about meetings that are occurring that would have--  
14 that where somebody is talking about their country.

15 MR. FOLIO: So it's typical that if the meeting touched  
16 on Ukraine issues that the meeting readout would be funneled  
17 to the ambassador for Ukraine?

18 MS. NOVELLI: Yes.

19 MR. FOLIO: And who made the decision as to what  
20 should become aware?

21 MS. NOVELLI: It wasn't me. I honestly don't know. I  
22 presume the people--usually, there's somebody from the  
23 Country Desk who would come to meetings that were about a  
24 country, and that person was responsible for deciding, you  
25 know, who would see the readout, I believe.

1 MR. FOLIO: Bridget Brink--

2 MS. NOVELLI: I mean, I don't honestly--you know, I was  
3 not the person responsible for making those decisions.

4 MR. FOLIO: Bridget Brink, I believe Ambassador Bridget  
5 Brink also received the readout of this meeting. What was  
6 her role at this time, and why would she have received this?

7 MS. NOVELLI: I'm sorry. Her name was what?

8 MR. FOLIO: Ambassador Bridget Brink.

9 MS. NOVELLI: I don't know who she is.

10 MR. FOLIO: George Kent also received a readout of this  
11 meeting.

12 MS. NOVELLI: He worked on--in the Assistant Secretary  
13 for Europe, that chain.

14 MR. FOLIO: And then why would he have received a  
15 readout of this meeting?

16 MS. NOVELLI: Because he was--he was part of the--  
17 Ukraine was underneath the Assistant Secretary for Europe.  
18 So someone--whoever did the memo and sent it around decided  
19 it was something that he should see.

20 MR. FOLIO: And then the Assistant Secretary for Europe  
21 at this time, that was Victoria Nuland?

22 MS. NOVELLI: Correct.

23 MR. FOLIO: Did you receive copies of these readouts?

24 MS. NOVELLI: No.

25 MR. FOLIO: Why not?

1 MS. NOVELLI: I was a very busy person, and so people  
2 on my staff would look at them. But I didn't.

3 MR. FOLIO: I'm going to turn to a document we're going  
4 to mark as Exhibit 9.

5 [Novelli Exhibit No. 9 was  
6 marked for identification.]

7 MR. FOLIO: So just to orient you, the meeting that we  
8 just spoke about was an October 30th, 2015, meeting with  
9 Blue Star Strategies, Karen Tramontano, and Sally Painter,  
10 and their client--without the client, the Open Societies  
11 Foundation, and then this document which we've marked as  
12 Exhibit 9, Bates No. ending in 1347 is a November 6th, 2015,  
13 employee from Sally Painter to you, copying Karen  
14 Tramontano, subject line, "Thank You." Let us know when  
15 you've had the chance to read it.

16 MS. NOVELLI: Yeah, I've read it.

17 MR. FOLIO: So in this email, Ms. Painter thanks you  
18 again for taking the time to meet with her and Karen by  
19 phone on Ukraine: "Your insight and guidance were very  
20 helpful and much appreciated. We are following up with our  
21 team in Ukraine to better ascertain their reviews on funding  
22 and other issues. We will keep you posted if this  
23 develops."

24 Looking at this email, does this refresh your  
25 recollection as to what you discussed then during that

1 October 30th meeting?

2 MS. NOVELLI: I am really--I just don't remember this  
3 meeting. I know it happened. There's a briefing memo.  
4 There's a memorandum of conversation, but I do not--I didn't  
5 even remember this meeting at all until I saw the briefing  
6 memo and the memorandum of conversation.

7 MR. FOLIO: Well, at least you know that your insights  
8 and guidance were very helpful and appreciated, so--

9 MS. NOVELLI: That's nice to know.

10 MR. FOLIO: We're going to move to a document we'll  
11 introduce as Exhibit 10.

12 [Novelli Exhibit No. 10 was  
13 marked for identification.]

14 MS. NOVELLI: Okay.

15 MR. FOLIO: This is an email with Bates Nos. ending in  
16 986 through 989. Turning to page 988, which is the first  
17 substantive email chain. Ms. Tramontano emails you on  
18 February 18th, 2016, and says that she has requested a  
19 meeting "to discuss a matter on which I need your advice. I  
20 spoke to"--redacted--"in your office yesterday to explain my  
21 reason for asking for a meeting. Essentially, the U.S.  
22 Government has taken a position in a commercial matter  
23 regarding a Ukrainian individual, and I believe the position  
24 is in error. I would like to give you a briefing and ask  
25 your advice in this matter."

1           You forward the email--I'm sorry. You respond and say,  
2 "Happy to meet with you," and you copy someone who can make  
3 it happen.

4           MS. NOVELLI: That's my administrative assistant.

5           MR. FOLIO: What was the commercial matter regarding  
6 the Ukrainian individual to which Ms. Tramontano was  
7 referring in this email?

8           MS. NOVELLI: Again, I do not have specific detailed  
9 recollections of this meeting. I didn't know what the  
10 matter was until, you know, the meeting occurred.

11          MR. FOLIO: And what is that recollection?

12          MS. NOVELLI: What is my recollection of what? The  
13 meeting?

14          MR. FOLIO: I'm sorry. Maybe I misunderstood what you  
15 said in response. So what the commercial matter was, you  
16 said you didn't recall--

17          MS. NOVELLI: I didn't--at the time I agreed to the  
18 meeting, I did not know what the matter was.

19          MR. FOLIO: So in this email, she's--Ms. Tramontano is  
20 saying that she wanted to give you a briefing and ask your  
21 advice in this matter.

22          MS. NOVELLI: Yes.

23          MR. FOLIO: Is the briefing, like her offering to  
24 provide you a briefing, is that typically the type of  
25 information she would bring to your attention as Under

1 Secretary?

2 MS. NOVELLI: Well, I--she was asking for a meeting.  
3 Usually, in a meeting, somebody would tell you whatever the  
4 information is. That's the briefing part of it, and then  
5 she said she wanted to ask my advice about what this was.  
6 But what this was was not specific.

7 MR. FOLIO: I guess I want to understand between  
8 offering you briefing and then asking you--asking for your  
9 advice. And was it typical for someone to email you, again,  
10 sort of in your official capacity and ask to come meet with  
11 you at the Department and ask for your advice about  
12 something?

13 MS. NOVELLI: Yes. Something that was related to  
14 business, yes. And companies would regularly do that.

15 MR. FOLIO: And what sort of advice were you in a  
16 position to provide?

17 MS. NOVELLI: About this, I don't know.

18 MR. FOLIO: I just mean in general.

19 MS. NOVELLI: I'm just trying to think of an example.  
20 Nothing is coming to mind, but normally, you know, they  
21 would ask about, you know, what is going on with the U.S.  
22 policy. And I could tell them--they might ask what official  
23 in a certain government was in charge of something. Like,  
24 in Europe, you know, they're worrying about--there was a lot  
25 of concern about what the Europeans were going to do, for

1 example, with regard to digital issues, and so a lot of  
2 companies that were concerned about that would come and say,  
3 "Hey, we're really worried about this. Like, who's the best  
4 people to talk to, and do you understand, like, what they're  
5 thinking? What can we say that would help--you know, help  
6 get us to a better space?" Those are the type of things.

7 MR. FOLIO: So, again, this email from Ms. Tramontano  
8 to you is on February 18th, 2016. Were you aware that a  
9 representative from Blue Star Strategies had reached out  
10 about a week prior on February 10th, 2016, trying to  
11 schedule a meeting between you and Ms. Tramontano?

12 MS. NOVELLI: No.

13 MR. FOLIO: So in the course of that email exchange,  
14 which did not involve you, it was reported that Ms.  
15 Tramontano requested 30 minutes of your time to ask for your  
16 personal thoughts on a client matter. It was further  
17 described that this is personal to Ms. Tramontano knowing  
18 you and is not a request to talk with subject-matter  
19 experts.

20 MR. SCHRAM: Joe, what are you reading from?

21 MR. FOLIO: I am reading from a document that Ms.  
22 Novelli is not copied on, Bates No. ending 7524 to 7525--I'm  
23 sorry--

24 MR. SCHRAM: Are you making it as an exhibit and  
25 introducing it into the record?

1 MR. FOLIO: I wasn't doing that at this time. We  
2 might, but not yet.

3 MR. SCHRAM: Well, I would ask if we're discussing a  
4 document that we all be allowed to see it. I'll raise again  
5 that you've not provided Minority with copies of these  
6 documents. So you're now asking questions about a document  
7 that neither the witness nor the Minority has in front of  
8 them.

9 MR. FOLIO: Well, I'll give you the--you have a copy of  
10 the document. If you need a second to find it, just let me  
11 know, but I was hesitating to provide Ms. Novelli because  
12 she's not copied on this email. So I'm asking whether or  
13 not she--

14 MR. SCHRAM: You've not made it whether or not you're  
15 entering it as an exhibit number. It is now an exhibit to a  
16 transcribed interview, and the witness has a right to review  
17 it if she's going to respond to it.

18 And we would--we would also--would have appreciated the  
19 opportunity to see it and to not have to now go fumble  
20 through our files and look for it.

21 MR. FOLIO: Well, let me know when you have it, Zack.

22 [Pause.]

23 MR. FOLIO: Do you have it, Zack, or are you still  
24 looking?

25 MS. NOVELLI: Sorry. We've having a little technical

1 difficulty here. Stuart's screen is frozen. So just if you  
2 can hold on one second.

3 MR. FOLIO: Sure.

4 MR. SCHRAM: I don't have it yet, but I'd ask that if  
5 we discuss it that you put it on the screen and enter it as  
6 an exhibit.

7 [Pause.]

8 MS. NOVELLI: Sorry. Stuart's computer was sitting in  
9 the sun and we think it might have overheated, so he's put  
10 it in the shade. So can we just wait a second so that he  
11 can get back online?

12 MR. FOLIO: Sure thing.

13 MS. NOVELLI: Thanks.

14 [Pause.]

15 MS. NOVELLI: Okay. He's in the shade. He's back.

16 MR. FOLIO: Outstanding.

17 MR. SCHRAM: Did he miss our conversation over this  
18 document?

19 MS. NOVELLI: Stuart, are you in? Okay. Did you hear  
20 the conversation over the document?

21 MR. NASH: [Inaudible.]

22 MS. NOVELLI: Yeah. I told him what you all were  
23 saying while his screen was frozen.

24 MR. FOLIO: Sure, and we just discussed--

25 MR. NASH: --expressed the interest in seeing the

1 document.

2 MR. FOLIO: Sure. We just discussed internally on our  
3 side, and although we typically don't--it's not our practice  
4 to show witnesses documents that they did not otherwise have  
5 access to, I think just this recording, as part of our  
6 question from this, we'll show you all the documents so we  
7 can make sure we're--

8 MR. SCHRAM: Joe, can I ask you to specify whose  
9 practice you're referring to?

10 MR. FOLIO: In general, it's just good legal practice  
11 not to show witnesses documents they're not on, to maintain  
12 the integrity of the investigation.

13 MR. SCHRAM: It's good legal practice not to quote from  
14 the material and then ask a witness to answer questions  
15 without an opportunity to see it. And the practice that  
16 you're referring to is not the practice of the Homeland  
17 Security and Governmental Affairs Committee. It might be  
18 the ad hoc practice that you've developed in this joint  
19 investigation.

20 MR. FOLIO: I think you're speaking about a very  
21 different legal practice.

22 But in any case we will enter into the record Exhibit  
23 11. And again, the Bates Nos. end in 7524 through 7526.  
24 But we can only show the first page, the 7524, this copy  
25 now. Again, this is an email that Ms. Novelli is not privy

1 to in her work.

2 [Novelli Exhibit No. 11 was  
3 marked for identification.]

4 MR. SCHRAM: Sorry. So it's your view now that there  
5 was an email chain but that you'll only ask--you'll only  
6 show the witness a single part of that chain. So you're  
7 showing her part of a record?

8 MR. FOLIO: I'm just going to ask her a question. I  
9 will repeat my question, which is quoting from the first  
10 part of the record, I think for everyone to use in  
11 reference. So we'll put it up on the screen, even though I  
12 don't think it's good practice to do so. Zack, you are more  
13 than welcome to ask her about things on your time.

14 So again, this is an email from February 27, 2016. You  
15 were not copied on this email, but two questions ago, Ms.  
16 Novelli, I had asked whether or not you were aware that Blue  
17 Star had reached out about a week prior, on February 10,  
18 2016, to set up a meeting that you all spoke about, you and  
19 Ms. Tramontano spoke about, on February 18th. I believe  
20 your response was no, you were not.

21 And then my question was quoting from this email,  
22 which, again, was written by other State Department  
23 officials who had contact with Ms. Tramontano. And my  
24 question to you, Ms. Novelli, was whether or not you were  
25 aware that when Ms. Tramontano requested the meeting with

1 you, through other officials in your office, she did so by  
2 saying that she knows you from both her time in the  
3 government and industry, and she, Ms. Tramontano, requests a  
4 meeting, 30 minutes of your time, to ask for your personal  
5 thoughts on a client matter.

6       At the bottom she writes a parenthetical, to clarify,  
7 this is personal to Ms. Tramontano knowing you, Ms. Novelli,  
8 and is not/not a request to talk with subject matter  
9 experts. Again, our question to you, Ms. Novelli, is  
10 whether or not you were aware that Ms. Tramontano requested  
11 this meeting apparently for your personal thoughts on a  
12 client matter?

13       MS. NOVELLI: Sorry. Sorry. She wrote me an email,  
14 and that's what I responded to. That's what I responded to.  
15 So she asked for my advice about something.

16       I would just add that "it is not a request to talk with  
17 subject matter experts" is--usually, when people would ask  
18 for a meeting, often people at a much lower level would say,  
19 "Well, I can talk to you about that." And a lot of times  
20 people did not want to talk to somebody at a lower level,  
21 for whatever reason. So I wouldn't read too much into that  
22 phrase.

23       MR. FOLIO: So your understanding of Ms. Tramontano's  
24 request not to talk with subject matter experts is that she  
25 would prefer just to chat with you, the Under Secretary,

1 directly rather than a lower level staff person?

2 MS. NOVELLI: That's how I would interpret this. I  
3 can't say because I'm not Ms. Tramontano. And I only know  
4 the email that she sent to me, and the email she sent to me  
5 said she wanted my advice about something.

6 MR. FOLIO: What's your understanding of her asking to  
7 speak with you and ask for your personal thoughts on a  
8 matter?

9 MS. NOVELLI: I don't think that's what she said in the  
10 email she sent to me.

11 MR. FOLIO: No, I think that's right, which is why I'm  
12 pointing to this email, which reflects a conversation she  
13 had with other members of your staff. And I'm trying to  
14 understand the difference between the more formal meetings  
15 that we looked at, such as when Blue Star was representing  
16 International Labour Organization President Guy Ryder and  
17 this, in which Ms. Tramontano at least is telling your staff  
18 that she wants your personal thoughts on a client matter.

19 MR. NASH: Hold on. So, Joe, could you restate your  
20 question, because I'm not sure that Ms. Novelli is in a  
21 position to answer your question if you're asking her  
22 opinion as to why someone did something else.

23 MR. FOLIO: Yeah. So I was observing a difference  
24 between the formal meetings, such as the one that Blue Star  
25 scheduled with Ms. Novelli about ILO, Guy Ryder, and

1 contrasting that with this instance, in which Ms. Tramontano  
2 asked her staff to meet with you to get your personal  
3 thoughts on a client matter. And so that this was personal  
4 to knowing you and is not a request to talk to subject  
5 matter.

6       So the question is, from your perspective, Ms. Novelli,  
7 Ms. Tramontano seems to be making some sort of distinction  
8 between official business and something where she just wants  
9 personal thoughts on a client matter. Is that a distinction  
10 that you understand?

11       MS. NOVELLI: Sorry. I just want to talk to Stuart for  
12 a moment. Thanks.

13       [Pause.]

14       MS. NOVELLI: Okay. So she sent me a request, which  
15 you saw, asking to talk to me, and I can only tell you that  
16 she wanted to talk to me in my official position as Under  
17 Secretary. As I explained before, I can't say what was in  
18 her mind. That's between her and whoever this was addressed  
19 to. But I would interpret this as--and this isn't unique to  
20 her, but not wanting to talk to a lower-level person about  
21 whatever the issue is. And that is not unique to her. That  
22 would happen a lot.

23       [Pause.]

24       MS. NOVELLI: Hello? Are you there?

25       MR. FOLIO: Sorry. I was on mute.

1 MS. NOVELLI: Okay. It was so quite I just wasn't sure  
2 if I lost you.

3 MR. FOLIO: So I understand your response that from  
4 your perspective you were meeting with her in your official  
5 capacity.

6 MS. NOVELLI: Correct.

7 MR. FOLIO: I understand your response that the last  
8 part of this email, where it says that it was not a request  
9 to talk with a subject matter expert was something that was  
10 not unusual, from your perspective.

11 But the part that I just want to follow up on is that  
12 when she said that she wanted to get your personal thoughts  
13 on a client matter, that just seems a bit different than  
14 having a sort of formal meeting with the president of the  
15 ILO, that she seems to be asking you for, again, personal  
16 thoughts.

17 MS. NOVELLI: I don't think that's what her request  
18 said. Could we go back to her actual written request?

19 MR. FOLIO: Yes, which we have marked as Exhibit 10,  
20 Bates 988.

21 MR. NASH: I'd just like to make an observation, Joe.  
22 Your last question was, "That seems to me different than,"  
23 and I don't know that that poses a question to Ms. Novelli,  
24 and I'm going to ask her not to comment on your opinion as  
25 to whether it seems different or not. If you want to pose a

1 specific question to her, she would be happy to answer to  
2 it.

3 MR. FOLIO: I think I just got cut off. I think that  
4 was the question I'd asked previously, is that I was making  
5 the observation that it seemed different, and I was asking  
6 is Ms. Novelli viewed those as different types of requests.  
7 Or is this just all the same--

8 MR. NASH: Her testimony was that she believed this  
9 request was to meet with her in her official capacity, just  
10 as other of Karen Tramontano's requests were while she was  
11 in that role.

12 MR. FOLIO: So from your perspective, Ms. Novelli, was  
13 there any difference between this request by Ms. Tramontano  
14 to meet with you and her previous requests, for example, the  
15 meeting with the ILO, Guy Ryder, or the meeting with the  
16 Open Society Foundation, on behalf of the Open Society  
17 Foundation?

18 MS. NOVELLI: No. No. This is just a request for a  
19 meeting in my official capacity, and it came through a  
20 formal channel at the State Department.

21 MR. FOLIO: From your perspective, did Ms. Tramontano  
22 reach out to you, generally speaking, because she had the  
23 personal connection with you?

24 MR. NASH: I'm not sure how she can answer that, from  
25 her personal perspective. That is a request for her to

1 comment on Karen's motivation.

2 MR. FOLIO: Stuart, I'm sorry. We're really having a  
3 hard time hearing you.

4 MR. NASH: I'm sorry. I have my microphone turned down  
5 to avoid reverb as much as possible. But you asked from  
6 Cathy's perspective was Karen motivated by a particular  
7 motivation, and I don't think she can answer that, and  
8 saying from Cathy's perspective, preceding the question with  
9 that clause I don't think makes it any more answerable.

10 MR. FOLIO: Ms. Novelli, were there other individuals  
11 with whom you had personal relationships outside of the  
12 State Department that would seek to meet with you regularly,  
13 in an official capacity?

14 MS. NOVELLI: There were other people that I knew that  
15 would ask for meetings in my official capacity on subject  
16 matter under my jurisdiction. I would not characterize  
17 Karen's requests for meetings as frequent. You're seeing a  
18 subset here of thousands of meetings. So I would not  
19 characterize her requests as frequent.

20 MR. FOLIO: So when Ms. Tramontano asks to come in so  
21 she can get your advice on a matter, have you received, or  
22 in your position as Under Secretary, did you receive similar  
23 requests from people you knew from outside the Department?

24 MS. NOVELLI: I can't pinpoint an exact request from  
25 somebody asking for my advice on a specific matter. But

1 certainly there were people that I knew--I have worked in  
2 Washington for 30 years. It's hard to like work in a vacuum  
3 and never meet with people you don't know. And so there  
4 would be people I would know who would ask to come in and  
5 meet on issues that were underneath my purview, and they  
6 were people I knew. So yes, there were people I knew who  
7 would ask to come in and meet with me.

8 MR. FOLIO: And would they do it in this way, when they  
9 would say, not just we happen to know each other, we happen  
10 to have a client who has an issue in your area of  
11 responsibility, but there's something that's happened here  
12 in a commercial setting. I believe the position is in error  
13 and I really want to ask your advice on the matter. Is that  
14 a type of request that you've dealt with regularly, as Under  
15 Secretary?

16 MS. NOVELLI: I certainly have dealt with requests for  
17 people to meet with me, to ask my advice, people who felt  
18 that we need to have a different policy. Certainly that was  
19 part of my job and that's what I did.

20 MR. FOLIO: Did you meet with Ms. Tramontano in  
21 response to this request?

22 MS. NOVELLI: Yes. According to my schedule I did.

23 MR. FOLIO: And what was the meeting about?

24 MS. NOVELLI: I don't have a detailed recollection of  
25 the meeting.

1 MR. FOLIO: And what is the recollection you have?

2 MS. NOVELLI: The recollection I have is that she was  
3 concerned about either a company or a person, a Ukrainian,  
4 who was--I don't know if they were under sanction, because  
5 we had some individuals under sanction. I just really don't  
6 remember the details. But essentially that the U.S.  
7 Government was looking askance at this company or this  
8 person, and she thought that that was not correct, that was  
9 not right.

10 MR. FOLIO: And what did she want you to do?

11 MS. NOVELLI: Honestly, I do not remember what her  
12 specific request was, and I don't--I have asked for and was  
13 not given access to the briefing memo or any subsequent  
14 memos of conversations so I can't really even try to refresh  
15 my memory.

16 MR. FOLIO: Other than this request, did you ever have  
17 any other meetings at State Department where someone was  
18 trying to discuss with you they thought was the U.S.  
19 Government's mistaken view about either an individual or a  
20 company?

21 MS. NOVELLI: I do not remember specific meetings.  
22 There certainly were meetings where people thought we should  
23 have a different policy than we had about things. That was  
24 not unusual.

25 MR. FOLIO: As opposed to a policy such as, you know,

1 like Open Society Foundation thought that the U.S.  
2 Government should give more money to Ukraine, specifically  
3 here it seems to be that they have taken a position in a  
4 commercial matter regarding a Ukrainian individual, that you  
5 said you thought was potentially sanctioned. So someone in  
6 that position, or a company in that position, that is on the  
7 wrong side of a U.S. sanction, did you ever take any  
8 meetings with people who wanted you to change, or the U.S.  
9 Government to change its perspective on that company or that  
10 person?

11 MS. NOVELLI: I don't remember any specific meetings,  
12 but as I said, there were certainly companies or their  
13 representatives who would come in and say, "We think you  
14 need to be doing something different than you are doing."

15 MR. FOLIO: Will, will you please scroll to the top of  
16 this document, Bates No. 986? That first sentence says,  
17 "Under Secretary Novelli is going to meet with them next  
18 Monday at 2 p.m." This email is dated February 18, 2016, so  
19 Monday would be February 22, 2016.

20 Did you meet with them on February 22, 2016?

21 MS. NOVELLI: The only time I met with them was that  
22 one time, which I think was March 1, according to the  
23 schedule. I didn't have more than one meeting about this  
24 issue.

25 MR. FOLIO: Just one meeting. Okay. That's helpful.

1 We're trying to disaggregate.

2       So then turning to, I guess what we will introduce now  
3 as Exhibit 12.

4                               [Novelli Exhibit No. 12 was  
5                               marked for identification.]

6       MR. FOLIO: Tab 13. Scrolling down to the bottom of  
7 the second page.

8       So, Ms. Novelli, this is an email dated February 24th,  
9 2016. It's been made publicly available via FOIA. Chairman  
10 Johnson and Chairman Grassley quoted this matter in their  
11 November 6th, 2019, letter to the State Department.

12       I'd like to focus your attention on the substance of  
13 that email. If you have a chance to read it, please let us  
14 know when you're done.

15       [Pause.]

16       MS. NOVELLI: Okay.

17       MR. FOLIO: So this is about a week after the previous  
18 email exchange that we just reviewed, and the State  
19 Department official emailing with the subject line  
20 "Burisma," wrote, "Per our conversation, Chairman Tramontano  
21 of Blue Star Strategies requested a meeting to discuss with  
22 Under Secretary Novelli, U.S. Government remarks alleging  
23 Burisma," parenthetical, "(Ukrainian energy company)," end  
24 parenthetical, "of corruption. She noted that two high-  
25 profile U.S. citizens are affiliated with it, including

1 Hunter Biden as board member," end parenthetical.  
2 Tramontano would like to talk with Under Secretary Novelli  
3 about getting a better understanding of how the U.S. came to  
4 the determination that the company is corrupt. According to  
5 Tramontano, there is no evidence of corruption, has been no  
6 hearing or process, and evidence to the contrary has not  
7 been considered."

8 Ms. Novelli, were you aware that in requesting this  
9 meeting that Ms. Tramontano had mentioned that the company  
10 she's representing, Burisma, has two high-profile U.S.  
11 citizens affiliated with it, including Hunter Biden as a  
12 board member?

13 MS. NOVELLI: At the time, I was--I was not copied on  
14 this email. At the time the email came in, there was no  
15 mention of any people or any company or any anything when I  
16 said that I would have the meeting, and what is typical when  
17 a meeting is requested and I've agreed to it is that my  
18 staff then takes the ball from there and contacts whoever  
19 the appropriate people are in the State Department and says,  
20 "Under Secretary is having this meeting. We need to get  
21 talking points for her and a briefing paper." And that was  
22 typical for every meeting that I had.

23 So--and I was not privy--I was not privy to that whole  
24 apparatus of getting the talking points and briefing memo  
25 together for meetings that I had. That was something the

1 staff just did on their own, and I just saw the finished  
2 product.

3 MR. FOLIO: Why was it relevant that the company Blue  
4 Star represented had two high-profile U.S. citizens on its  
5 board, including Hunter Biden?

6 MS. NOVELLI: I didn't write that email, so I can't--I  
7 can't answer that.

8 MR. FOLIO: Do you think that--do you think that  
9 information was included for effect?

10 MS. NOVELLI: I really can't tell you. I didn't write  
11 that email. You would have to ask the author.

12 MR. FOLIO: The email is just a summary of what Ms.  
13 Tramontano was telling the author. In general, the U.S.--  
14 does the State Department view things differently when U.S.  
15 persons are involved when talking about foreign countries or  
16 foreign companies?

17 MS. NOVELLI: Do we view things differently? Not  
18 necessarily, no. It would depend--it would totally depend  
19 on what the issue was and what the subject was.

20 Sorry. I'm just going to have to move my table a  
21 little bit because the sun is right in my eyes. So just  
22 give me one second.

23 MR. FOLIO: Go ahead.

24 [Pause.]

25 MS. NOVELLI: I'm hoping I don't unplug myself.



1 MS. NOVELLI: I do not remember him. I don't know him.  
2 I don't remember that he was there. I don't remember him.  
3 He's not someone I know.

4 MR. FOLIO: Did Ms. Tramontano explain to you why she  
5 thought the U.S. Government remarks about Burisma were in  
6 error?

7 MS. NOVELLI: I do not remember details of that meeting  
8 or that--you know, the conversation, if that occurred during  
9 that meeting. I do remember vaguely that she had some  
10 reason why she thought things were in error. I don't even  
11 remember what the reasons are.

12 MR. FOLIO: I think you said before that it was about a  
13 company or a person. Which was it? Was it a company or a  
14 person?

15 MS. NOVELLI: I don't even remember that. I just don't  
16 remember.

17 MR. FOLIO: During the meeting, did you commit to do or  
18 provide anything for Ms. Tramontano?

19 MS. NOVELLI: I do not remember what I said that I  
20 would do or provide.

21 MR. FOLIO: Did Ms. Tramontano provide you with any  
22 materials during the meeting?

23 MS. NOVELLI: I do not remember.

24 MR. FOLIO: So as we saw in the previous exhibit, Ms.  
25 Tramontano wanted to discuss U.S. Government remarks

1 alleging that Burisma, a Ukrainian energy company, was  
2 corrupt. Were you aware of Ambassador Pyatt in the fall of  
3 2015 giving a speech in which he identified Burisma and  
4 specifically its owner, Mykola Zlochevsky, as being corrupt?

5 MS. NOVELLI: No.

6 MR. FOLIO: Prior to this meeting with Ms. Tramontano,  
7 were you aware of the company, Burisma?

8 MS. NOVELLI: No.

9 MR. FOLIO: Were you--prior to this meeting, were you  
10 aware of the company's owner, Mr. Zlochevsky?

11 MS. NOVELLI: No.

12 MR. FOLIO: Now having walked through these documents  
13 and discuss this, does it refresh your recollection that  
14 either Burisma or Mr. Zlochevsky were the subject matter of  
15 your meeting with Ms. Tramontano?

16 MS. NOVELLI: As I said, I don't remember anything  
17 about Mr., whatever, Zlochevsky.

18 I do remember vaguely something to do with Burisma, but  
19 I really do not have specific memory of this meeting. It  
20 just--

21 MR. FOLIO: After the meeting, did you learn any  
22 additional information while you were Under Secretary? So  
23 between this meeting and your time concluding as Under  
24 Secretary, did you learn any additional information about  
25 Burisma?

1 MS. NOVELLI: I had a conversation with Ambassador  
2 Pyatt after this meeting, and I do not remember if it was in  
3 person or on the phone. I just know that I had a  
4 conversation with Ambassador Pyatt and said that Karen had  
5 come in complaining. I don't even remember the specifics,  
6 just that she had come in complaining and asked him, you  
7 know, "Hey, this happened. What do you think?" And again,  
8 this is not quoting verbatim because I do not have a  
9 detailed memory, but basically, he said, "She is not  
10 correct. This is being handled. We're"--you know, "We're  
11 doing the right thing. What we need to do"--and I said,  
12 "Fine." And that was the end of it.

13 MR. FOLIO: Was this soon after your meeting with Ms.  
14 Tramontano?

15 MS. NOVELLI: I don't know what you mean by soon, but--

16 MR. FOLIO: Relatively close in time. I don't want to  
17 pion you--

18 MS. NOVELLI: Relatively close in time? I don't know.  
19 You know, again, I don't know, remember if it was on the  
20 phone or in person because when he would come back to D.C.,  
21 you know, for consultations or visits, I usually would--he  
22 would stop in, and so I just don't remember the context of  
23 it. But I did ask him about it. He said that she was not  
24 correct, that the thing was being handled, and that was the  
25 end of it.

1 MR. FOLIO: So you mentioned before that there was a  
2 briefing memo. Are you saying do you recall that there was  
3 a briefing memo leading up to the meeting with Ms.  
4 Tramontano?

5 MS. NOVELLI: I assume there was a briefing memo  
6 because there were briefing memos for every meeting that I  
7 did in my official capacity. So I assumed that there was,  
8 and we asked the State Department for it when we didn't see  
9 it. And we have not received it.

10 MR. FOLIO: Sorry. Double back to your conversation  
11 with Ambassador Pyatt. Why did you--why did you go to  
12 Ambassador Pyatt?

13 MS. NOVELLI: Because he was the person responsible for  
14 Ukraine, and so I was following--I mean, Karen came in.  
15 Whatever specifics she said related to what was happening in  
16 Ukraine. So that's why I asked Geoff Pyatt, you know,  
17 what's going on with this. He told me, and I was like,  
18 "Okay." End of story.

19 MR. FOLIO: Did you speak with anyone else about this  
20 meeting other than Ambassador Pyatt?

21 MS. NOVELLI: Whomever was present taking notes from  
22 the meeting. I mean, they took notes. We went on to the  
23 next meeting, but no. I only talked to Geoff about it, and  
24 when he told me it was being handled, then that was fine  
25 with me. I mean, it was being handled. It was being

1 handled appropriately. What we were doing was appropriate.

2 I went on to all the other things that I was working on.

3 MR. FOLIO: Why did you not raise the meeting with

4 Victoria Nuland?

5 MS. NOVELLI: I can't tell you.

6 MR. FOLIO: How about why did you not raise the meeting

7 with George Kent?

8 MS. NOVELLI: I don't know. I talked to Geoff. He

9 said he was being handled. There's really no reason to

10 raise it if--I mean, as soon as I knew that it was being

11 handled, I didn't really need to take any further action or

12 any other steps.

13 MR. FOLIO: So one of the previous Blue Star instances

14 we looked at, there was someone from your staff who created

15 notes of the meeting or a readout, and it was emailed around

16 to, among other people, Ambassador Pyatt, Ambassador Bridget

17 Brink, and George Kent. We don't have such a readout for

18 this one. That's not to say it doesn't necessarily exist,

19 but if one did exist, presumably, it would have gone to the

20 same people. Why did you feel the need to raise this issue

21 directly with Ambassador Pyatt as opposed to just relying on

22 the normal course of readout he would have received?

23 MS. NOVELLI: I just don't have a good recollection.

24 Like I said, I could have been talking to Ambassador Pyatt

25 about something else and raised this. I don't remember the

1 context of my conversation with him, but I had a  
2 conversation with him when I sort of said this has happened  
3 and--or this has been said. And he said, "There's nothing  
4 to this. You know, she's not correct," and that was the end  
5 of it.

6 So I don't--I don't know if I called him or he called  
7 me about something else. I just--I just really don't  
8 remember the details.

9 MR. FOLIO: When Ambassador Pyatt said that Ms.  
10 Tramontano was not correct, not correct about what?

11 MS. NOVELLI: That whatever we were doing that she was  
12 unhappy about was in error.

13 MR. FOLIO: You said that Ambassador Pyatt also said  
14 that it was being handled. What did that mean, that it was  
15 being handled?

16 MS. NOVELLI: As I--I just want to be clear. This is  
17 not a direct quote.

18 MR. FOLIO: Sure.

19 MS. NOVELLI: I'm just giving you the gist, right, that  
20 this is that people were on top of this issue, and the way  
21 that I worked, if other people were on top of something,  
22 responsible people, I didn't need to pile on. I had other  
23 stuff that I was spending my time on.

24 MR. FOLIO: Were you made aware by Ambassador Pyatt  
25 that Burisma and its owner, Mr. Zlochevsky, had corruption

1 problems?

2 MS. NOVELLI: Again, I don't remember the details of my  
3 conversation with Geoff Pyatt, but--so I don't remember the  
4 details, but obviously, if he said there is--this is--she's  
5 not correct and what we're doing is correct, I'm sure he  
6 said something that would--you know, why that's the case. I  
7 didn't--as I said, I didn't really spend a lot of time on  
8 this because other people were working on it, and they were  
9 taking care of it. So I went off to do other things.

10 MR. FOLIO: Were you aware that Ms. Tramontano, Blue  
11 Star in general, to include Ms. Painter, were reaching out  
12 to George Kent about this same issue?

13 MS. NOVELLI: No. I did not know that.

14 MR. FOLIO: Were you aware that in the course of Ms.  
15 Painter's and Ms. Tramontano's conversations with George  
16 Kent about this issue that they told him that if--they  
17 basically--I use the word lightly, but I'd say threatened,  
18 but told him that they would go to the Under Secretary?

19 MS. NOVELLI: I had no idea.

20 MR. SCHRAM: Joe, are you characterizing a  
21 communication that's not an exhibit?

22 MR. FOLIO: No. I'm quoting, which is what I asked you  
23 to do.

24 MR. SCHRAM: I'm sorry. You said "threatened" or "go  
25 to"? Is that a quote or not? Because you changed the

1 wording. If you have a quote, can you put it up?

2 MR. FOLIO: Well, you didn't, so I'm not going to. And  
3 again, it's a document she's not on.

4 So, Ms. Novelli--

5 MR. GOSHORN: Joe, actually, you guys are over your  
6 time. It seems like a good opportunity to take a break.

7 MR. FOLIO: Let me check--

8 MR. SCHRAM: Just before--

9 MR. FOLIO: We are winding down on this exhibit. So we  
10 can finish up, I think, pretty quickly, and then we can take  
11 a break, if that's all right.

12 MR. SCHRAM: I just want to be clear. You're  
13 characterizing the contents of a communication that we are  
14 not showing us or the witness, and you've now changed the  
15 characterization over the course of offering it. So if you  
16 could just either put a document in evidence and quote from  
17 it or ask the question again so that we can understand what  
18 your characterization is.

19 MR. FOLIO: Well, I'm not going to do that because it's  
20 not a document she's copied on. You're conflating my  
21 objection to your characterization of Chairman Johnson, a  
22 non-witness in this investigation, was saying.

23 My question simply to Ms. Novelli--and I think she  
24 answered it, but just to be clear.

25 Ms. Novelli, it's whether or not you were aware that in

1 the course of discussing--

2 [Telephone rings.]

3 MS. NOVELLI: Sorry.

4 MR. FOLIO: No problem.

5 MS. NOVELLI: Sorry about that. Go ahead.

6 MR. FOLIO: Whether you were aware that in the course  
7 of Ms. Sally Painter from Blue Star Strategies discussing  
8 this matter with George Kent that they said that if they  
9 didn't get an adequate response from him, they would go to  
10 the, quote/unquote, "Under Secretary."

11 MS. NOVELLI: Sorry. No. I was not aware.

12 MR. FOLIO: Is there any chance that this meeting was  
13 not treated like a normal meeting and that other people did  
14 not participate, such that, for example, call notes were  
15 generated or--sorry--a meeting summary was generated?

16 MS. NOVELLI: I don't know why that would be.

17 MR. FOLIO: In your experience as Under Secretary, were  
18 there ever meetings where someone would say something that  
19 they--along the lines of wanting to meet with you in a  
20 personal capacity or on a personal issue, and you wouldn't  
21 have staff there to generate meeting summary notes?

22 MS. NOVELLI: If I was meeting in my official capacity,  
23 which this was a meeting in my official capacity, there was  
24 somebody there taking notes.

25 MR. FOLIO: So you would expect for this meeting with

1 Ms. Tramontano about Burisma--you would expect there to have  
2 been some product of notes, however?

3 MS. NOVELLI: I would have expected that, yes.

4 I will say that some staff were better about taking  
5 notes than others. So, you know--but generally speaking,  
6 there would be somebody there taking notes.

7 MR. FOLIO: This was a meeting that Ms. Tramontano  
8 requested to have with you a few different ways, but  
9 ultimately, that day it was about a company that she  
10 represented, that the U.S. Government believed was corrupt,  
11 and Ms. Tramontano thought that belief was in error.

12 Was there any State Department policy or other  
13 considerations that you made about when choosing to take  
14 meetings with representatives of people? For example, if it  
15 was a corrupt company wanting to meet with you, was there an  
16 analysis or a regulation that you followed to determine  
17 whether you should or should not take that meeting?

18 MS. NOVELLI: I'm sorry. I'm just trying to--I'm  
19 sorry. Was there a policy about whether to take meetings or  
20 not take meetings? Is that the question?

21 MR. FOLIO: Yeah, especially in a situation in which,  
22 you know, for example, a representative of a company who has  
23 legal issues, whether with the United States or a foreign  
24 country where it resides. Is there any analysis that you  
25 would do either because of policy or anything else that you

1 would--an analysis that you would perform before you decided  
2 whether or not to take the meeting?

3 MS. NOVELLI: Well, with respect to this meeting, there  
4 was nothing--the request was very general. So there was  
5 nothing--there was nothing--nothing for me to do an analysis  
6 of.

7 MR. FOLIO: I think this is a good spot for us to  
8 transition to the Minority.

9 Ms. Novelli, would you like to take a break before we  
10 do that?

11 MS. NOVELLI: Yes, please. Thank you.

12 MR. FOLIO: Ten minutes?

13 MR. NASH: I'd just like to interject here.

14 I do have a hard stop at 3:30. I'm hoping that we'll  
15 be winding up, but it's still an hour and 20 minutes from  
16 now. We can take a very short break now, but I'm going to  
17 have to end this at 3:30 because I have another obligation.

18 MR. FOLIO: All right. Stuart, I understand that you  
19 have a hard stop at 3:30. We're going to use our 10 minutes  
20 here to regroup, but I think we are, at least from our side,  
21 winding things down.

22 MR. NASH: Great. Thank you.

23 MR. FOLIO: All right. Does 2:20 work for you, Zack  
24 and Dave?

25 MR. SCHRAM: Yes.

1 MR. FOLIO: Okay. We'll see you all at 2:20.

2 MS. NOVELLI: Okay.

3 [Recess.]

4 MR. SCHRAM: Ms. Novelli, thank you again for your time  
5 and for your patience.

6 Why do you meet with lobbyists?

7 MS. NOVELLI: I meet with people who represent issues,  
8 and that is--lobbyists are one of those groups of people.  
9 They represent companies whose interests are, or sometimes  
10 countries, you know, whose interests intersect with those of  
11 the United States.

12 MR. SCHRAM: In your role as Under Secretary, how often  
13 did you meet with lobbyists?

14 MS. NOVELLI: Well, if you mean by "lobbyists" people  
15 who did government affairs for their companies as well as  
16 people at firms, I would say relatively frequently. Maybe  
17 not every day but certainly every week.

18 MR. SCHRAM: Is there something nefarious about the  
19 fact that you would frequently take meetings with government  
20 affairs officials, of countries or companies?

21 MS. NOVELLI: I never thought so.

22 MR. SCHRAM: Until it became the subject of the  
23 Chairmen's investigation, did your meeting with Ms.  
24 Tramontano, with respect to Burisma, did it stand out in  
25 your mind?

1 MS. NOVELLI: No.

2 MR. SCHRAM: Why not?

3 MS. NOVELLI: It was one of thousands of meetings that  
4 I had, and we were just discussing offline that when you  
5 have that many meetings you just can't keep all those things  
6 in your brain. It would explode.

7 MR. SCHRAM: Did your meeting with Ms. Tramontano  
8 influence matters at the State Department in a manner that  
9 impacted U.S. foreign policy towards Ukraine?

10 MS. NOVELLI: No.

11 MR. SCHRAM: Did Hunter Biden's position on the board  
12 of Burisma influence matters at the State Department in any  
13 way?

14 MS. NOVELLI: It did not influence anything with  
15 respect to this meeting or my conversation with Ambassador  
16 Pyatt.

17 MR. SCHRAM: Did Hunter Biden's position on the board  
18 of Burisma provide Burisma representatives, or provide Blue  
19 Star Strategies special access to you?

20 MS. NOVELLI: I agreed to the meeting, as you saw,  
21 without knowing what it was about, what company, or anything  
22 of the sort. So the meeting was agreed to be held without  
23 any mention of Hunter Biden.

24 MR. SCHRAM: So then to the question did his position  
25 on the board of Burisma provide its representatives, or Blue

1 Star special access to you, the answer is--

2 MS. NOVELLI: No.

3 MR. SCHRAM: Did Hunter Biden's position on the board  
4 of Burisma provide Mr. Zlochevsky with special access to  
5 you?

6 MS. NOVELLI: No.

7 MR. SCHRAM: As far as you know, did it provide him  
8 with special access to any other U.S. official?

9 MS. NOVELLI: I have no knowledge of that.

10 MR. SCHRAM: The majority has now spent more time  
11 asking you questions about your meeting with Ms. Tramontano  
12 than you spent in that meeting, or subsequently thinking  
13 about it. In the majority theory of events, that meeting  
14 was the key moment in the maneuvering of U.S. policy to  
15 serve Hunter Biden's interest. Is that what happened?

16 MS. NOVELLI: In the meeting there was not--I certainly  
17 didn't take any action in the meeting to serve Hunter  
18 Biden's interest.

19 MR. FOLIO: Zack, again, I ask you to refrain from  
20 characterizing our investigation. You can talk about the  
21 facts and documents all you want, but please stop referring  
22 to our investigation unless you're doing direct quotes.

23 MR. SCHRAM: I think my characterization was an  
24 accurate summary of how you have spent today.

25 MR. FOLIO: Based on--

1 MR. SCHRAM: And the record can speak for itself.

2 MR. FOLIO: I agree that the record should speak for  
3 itself. We will speak for ourselves and we ask that you  
4 speak for yourself.

5 MR. SCHRAM: Again, Ms. Novelli, was your meeting with  
6 Ms. Tramontano a key moment in the maneuvering of U.S.  
7 policy to serve Hunter Biden's interest?

8 MR. NASH: I'm not sure Ms. Novelli understands that  
9 question. If you want to rephrase it, Zack, she would be  
10 happy to try to answer it.

11 MR. SCHRAM: As a result of that meeting, did you take  
12 any action to serve Hunter Biden's interest?

13 MS. NOVELLI: No.

14 MR. SCHRAM: That's all. Dan, did you have anything?

15 MR. GOSHORN: Nothing further. Thank you for your  
16 time, Ms. Novelli.

17 MR. FOLIO: Ms. Novelli, I'm going to turn it over to  
18 my colleague, Scott Wittmann.

19 MR. WITTMANN: Hi, Ms. Novelli. Thank you for your  
20 time today. I just want to go back to comments that you  
21 made towards the beginning of the interview today, regarding  
22 your preparation for the March 2016 meeting with Ms.  
23 Tramontano. I believe you mentioned earlier that the first  
24 time that you were made aware Hunter Biden was on the board  
25 of Burisma was in March of 2016, and I think you said it was

1 part of the preparation for this meeting. Could you talk  
2 about that again and when you first found out about Hunter  
3 Biden being on Burisma's board?

4 MS. NOVELLI: I do not remember the exact moment when I  
5 found out about that, so I don't know what I can really add.  
6 I knew about it in the meeting, but I really can't--I just  
7 don't have any memory of precisely when, before March 1, you  
8 know, between the meeting request and between the time that  
9 people knew what the meeting was about and March 1, I would  
10 have been made aware.

11 What I can say is that typically, because I had so many  
12 meetings, one after the other, day after day after day, I  
13 didn't really focus on meetings I was going to have until  
14 either the night before or sometimes like the five minutes  
15 before I was going to have the meeting, because there was  
16 just too much to digest.

17 MR. WITTMANN: Sure. So is it fair to say that you  
18 found out about Hunter Biden's board membership as part of  
19 the preparation for this meeting?

20 MS. NOVELLI: Well, it depends on what "preparation"  
21 means. You know, if it means somebody handed me a briefing  
22 paper and I read it, you know, I just don't remember  
23 precisely, you know, whether it was in the briefing paper or  
24 I found out in the meeting itself. I don't remember.

25 MR. WITTMANN: So just to be clear, it was either--I

1 could have been part of preparation but it also could have  
2 been brought up in the meeting?

3 MS. NOVELLI: Honestly, I just don't remember. I'm  
4 sorry. I don't remember.

5 MR. WITTMANN: Okay. I want to turn to the next  
6 exhibit that we're going to enter in. I believe it's  
7 Exhibit 14, Tab 16.

8 [Novelli Exhibit No. 14 was  
9 marked for identification.]

10 MR. WITTMANN: Ms. Novelli, this is a copy of a  
11 schedule dated September 29, 2016.

12 MS. NOVELLI: Sorry. I can only see the blank page.

13 MR. WITTMANN: I'm sorry. We'll scroll down.

14 MS. NOVELLI: Okay.

15 MR. WITTMANN: And, Will, can you keep scrolling down  
16 to the next page? On the next page there is a meeting  
17 listed there with Karen Tramontano and Sharon Waxman, the  
18 President and CEO of the Fair Labor Association.

19 MS. NOVELLI: Yes.

20 MR. WITTMANN: Do you remember if this meeting occurred  
21 on September 29, 2016?

22 MS. NOVELLI: I remember that the meeting occurred. I  
23 don't remember details of it, and I don't--I mean, that the  
24 schedule says it occurred on this date.

25 MR. WITTMANN: Do you remember if anyone else attended

1 this meeting besides the people listed and yourself?

2 MS. NOVELLI: I don't remember, but it would be typical  
3 because that's a--you know, for somebody else to have  
4 attended that meeting. I don't know who that would have  
5 been.

6 MR. WITTMANN: And would that have been the notetaker?

7 MS. NOVELLI: Yeah, somebody on my staff.

8 MR. WITTMANN: Okay. I want to move on to what we'll  
9 enter in as Exhibit 15.

10 [Novelli Exhibit No. 15 was  
11 marked for identification.]

12 MR. WITTMANN: Ms. Novelli--Will, scroll down--this is  
13 a schedule, your schedule dated October 13, 2016, and on  
14 this schedule there is a listed meeting with Karen  
15 Tramontano at a specific address. Do you remember if this  
16 meeting occurred with Ms. Tramontano on October 13, 2016?

17 MS. NOVELLI: I do not remember specifically. You  
18 know, I don't remember a specific meeting at that date. I  
19 just don't remember dates.

20 MR. WITTMANN: Okay. In this general time frame of  
21 early to mid-October, do you remember any meeting with Ms.  
22 Tramontano?

23 MS. NOVELLI: I remember a meeting with Karen not in my  
24 office, a personal meeting, to ask--I was meeting with other  
25 people because the administration was ending, to ask about

1 corporate boards. And I was interested in that and just  
2 wondered if she had any thoughts about it.

3 MR. WITTMANN: And where did that meeting occur?

4 MS. NOVELLI: Probably at that address. I mean, that  
5 was a meeting in her office.

6 MR. WITTMANN: So that address is Blue Star's office?

7 MS. NOVELLI: I don't know. I don't know their  
8 address, but I remember a meeting not in my office, and it  
9 was a personal meeting, just to ask for her advice. And I  
10 asked for lots of people's advice, not just her.

11 MR. WITTMANN: Did anyone else attend this particular  
12 meeting that you mentioned?

13 MS. NOVELLI: Certainly nobody from my staff would be  
14 attending a meeting like that.

15 MR. WITTMANN: Okay. I want to move on to what we will  
16 enter in as Exhibit 16.

17 [Novelli Exhibit No. 16 was  
18 marked for identification.]

19 MR. WITTMANN: And this exhibit contains an attachment  
20 that we're happy to scroll through, Ms. Novelli. But my  
21 question is only on the email that's on the very first page.  
22 But please let us know if you'd like us to scroll through  
23 the attachment as well.

24 MS. NOVELLI: Okay. Sure. Can you scroll through the  
25 attachment?

1 MR. WITTMANN: Yes.

2 MR. GOSHORN: Scott, what's the Bates on this?

3 MR. WITTMANN: Sure. It is ending in 2083.

4 MR. GOSHORN: Okay. Thank you.

5 MR. WITTMANN: Sure.

6 MS. NOVELLI: Okay.

7 [Pause.]

8 MS. NOVELLI: Okay.

9 [Pause.]

10 MS. NOVELLI: Yes.

11 [Pause.]

12 MS. NOVELLI: Okay.

13 [Pause.]

14 MR. WITTMANN: So I think that's the end of the  
15 document, but I want to go back to the first page, where you  
16 can see the email from Ms. Tramontano to you on October 21,  
17 2016. Ms. Tramontano wrote, "Based on our discussion about  
18 Ukraine, attached is a two-pager outlining the work we did  
19 in Cambodia."

20 What was Ms. Tramontano referring to regarding the  
21 discussion about Ukraine?

22 MS. NOVELLI: I don't have a specific recollection of  
23 that, but I do know that at that time we were meeting with a  
24 number of Ukrainian officials to talk to them about how to  
25 take their economy forward and how to look at questions of

1 making themselves more appealing for foreign investment.  
2 Again, this was part of stabilizing their economy.  
3 Secretary Pritzger took many trips where she would bring  
4 businesses to Ukraine, trying to get them interested. And  
5 so I am presuming that that is what we were talking about.  
6 Based on the attachment that she gave, it would fit in with  
7 what we were doing.

8 MR. GOSHORN: Scott, I'm sorry to interrupt, but there  
9 is another document in the record, a reply to this email,  
10 that is a response from Karen to Ms. Novelli, and it says,  
11 "Should have said based on our discussions about Pakistan.  
12 Sorry about that. Too many balls in the air."

13 So I think the reference to Ukraine in this document is  
14 an error. I can forward you this follow-up email if you  
15 want to put it in the record.

16 MS. NOVELLI: That actually would make a lot of sense,  
17 because we were having actual discussions with the  
18 Pakistanis, who were looking at trying to do more textiles,  
19 and the Cambodia document is about textiles. So that would  
20 make a lot of sense.

21 MR. WITTMANN: Thank you, Dan. If you wouldn't mind  
22 forwarding that. And, Dan, does that document contain the  
23 attachment?

24 MR. GOSHORN: No, but it starts--it has everything--it  
25 starts with the email that's on the bottom of the screen

1 right now, "Based on our discussion." I'll send it to you  
2 right now.

3 MR. WITTMANN: Okay. Thank you.

4 So, Ms. Novelli, just so we can be clear on the record,  
5 and we can wait for Dan to send us the updated one. But  
6 your understanding is that Ms. Tramontano was referring to a  
7 discussion about Pakistan and not Ukraine?

8 MS. NOVELLI: I would--again, I don't remember this  
9 specific discussion. We were talking to Pakistan at that  
10 time about how to look at their gray economy and how to look  
11 at their textile sector, because Pakistan's economy was in a  
12 terrible situation and we were very worried about Pakistan,  
13 because of its strategic position.

14 MR. WITTMANN: I understand. Thank you, and thank you,  
15 Dan.

16 I am curious about what you did say regarding meetings  
17 with Ukrainian officials at this time. Could you expand on  
18 that? What Ukrainian officials were you talking to?

19 MS. NOVELLI: I don't remember the exact date of these  
20 meetings, but we did gather the Ukrainian Finance Minister,  
21 the Ukrainian Minister of the Economy, and a couple of other  
22 Ukrainian officials who were trying to help the economy of  
23 Ukraine. And we had some folks from other agencies, and we  
24 talked to them about things that they were doing. And not  
25 remembering any of this specifically, that's the only thing

1 I can think of that would be relevant. But it seems that,  
2 in any case, it was an error and it was about Pakistan,  
3 which makes a lot more sense, given what was going on with  
4 Pakistan at the time.

5 MR. WITTMANN: Understood, and thank you for that  
6 clarification.

7 I want to turn it over now to my colleague, Josh.

8 MR. FLYNN-BROWN: Thanks, Scott. Will can you pull up  
9 Tab 20? I guess it's Exhibit 17 at this point.

10 [Novelli Exhibit No. 17 was  
11 marked for identification.]

12 MR. FLYNN-BROWN: Yes, it's correct.

13 And scroll down for Ms. Novelli.

14 Ms. Novelli, please let me know when you've reviewed.

15 MS. NOVELLI: Yep.

16 [Pause.]

17 MS. NOVELLI: Okay.

18 [Pause.]

19 MS. NOVELLI: Okay. I've reviewed.

20 MR. FLYNN-BROWN: Ms. Novelli, have you reviewed?

21 MS. NOVELLI: Yes, yes. I'm sorry. Can you hear me  
22 okay?

23 MR. FLYNN-BROWN: I think you might be muted. You  
24 can't--

25 MS. NOVELLI: I'm not muted.

1 MR. FLYNN-BROWN: Okay.

2 MS. NOVELLI: Sorry. Can you hear me? Hello?

3 MR. FLYNN-BROWN: Can you hear me okay?

4 MS. NOVELLI: I can hear you, but it seems like you  
5 can't hear me. Can you hear me?

6 MR. FLYNN-BROWN: I can hear you now. Thank you.

7 MS. NOVELLI: Oh, okay. Sorry. I don't know what  
8 happened, but yes, I've reviewed.

9 MR. FLYNN-BROWN: So on March 30th, 2016, Ambassador  
10 Pyatt applied to an email chain regarding Ms. Tramontano  
11 writing to Dennis McDonough requesting a meeting between him  
12 and Boris Lozhkin. Ambassador Pyatt wrote, quote, "So I see  
13 below, Ukraine hired a new lobbyist, same firm that saw  
14 Kathy Novelli, complaining about my pressure on the PGO's  
15 coverup of the case against the disgraced Yanukovich-era  
16 Environment Minister."

17 Why did you complain about Pyatt's pressure on the PGO  
18 coverup?

19 MS. NOVELLI: Okay. That is not what the email says.  
20 The email says that Karen Tramontano complained to me about  
21 hit.

22 MR. FLYNN-BROWN: Stand by. Are you there?

23 MS. NOVELLI: Yes.

24 MR. FLYNN-BROWN: Can you repeat that one more time?  
25 I'm sorry.

1 MS. NOVELLI: The email, if you want to scroll back up  
2 to it, says that the firm saw me, complaining--the firm was  
3 complaining about Ambassador Pyatt's pressure, not that I  
4 complained. I did not complain.

5 MR. FLYNN-BROWN: To what extent were you made aware of  
6 Blue Star Strategies' reaction to Ambassador Pyatt's  
7 pressure on the PGO coverup?

8 MS. NOVELLI: As I explained, I wasn't really involved  
9 in these issues. Karen came to see me. I didn't even know  
10 what PGO stands for, and she was saying the U.S. Government  
11 was in error. I talked to Ambassador Pyatt. He said they  
12 weren't--we were not in error, and that Karen was incorrect.  
13 And that was the end of the matter.

14 MR. FLYNN-BROWN: And Blue Star specifically raised  
15 concerns to you about Ambassador Pyatt's position?

16 MS. NOVELLI: I do not remember the details of that  
17 meeting.

18 MR. FLYNN-BROWN: Did Blue Star Strategies' officials  
19 ever raise concerns to you about other State Department  
20 employees taking positions that affected their work?

21 MS. NOVELLI: As I said, I don't remember the details  
22 of that meeting. I don't know who they talked about. I  
23 don't remember.

24 MR. FLYNN-BROWN: So the extent of your conversation  
25 with Ambassador Pyatt, it was a quick discussion after the

1 meeting with Tramontano, and your recollection is what  
2 exactly? That they complained about the government's  
3 position at that time, and Pyatt basically said what exactly  
4 with respect to Tramontano's position?

5 MS. NOVELLI: As I think I already answered this  
6 question, Ambassador Pyatt said Karen was incorrect, that  
7 the U.S. Government was doing what it needed to do, and  
8 that--and the matter was being handled. And I said okay,  
9 and that was the end of it. I do not remember the details  
10 of that conversation. I don't remember whether the  
11 conversation was only about that or other issues. I don't  
12 remember. I don't remember. I just--

13 MR. FLYNN-BROWN: So after your interaction with  
14 Ambassador Pyatt, did you circle back to Karen Tramontano?

15 MS. NOVELLI: I do not remember circling back to her.

16 MR. FLYNN-BROWN: And your meeting, your exchange with  
17 Ambassador Pyatt, based on this email from March 30th, 2016,  
18 it's fair to say that they were in fact--Blue Star  
19 Strategies was in fact complaining about Pyatt's pressure on  
20 the PGO's coverup. Is that an accurate representation?

21 MS. NOVELLI: I don't remember. I'm sorry.

22 MR. FLYNN-BROWN: Okay. Thank you.

23 Scott, Brian, or Joe? I don't know who's next.

24 MR. DOWNEY: Hi, Ms. Novelli.

25 So we're going to move up on the timeline to January of

1 2017, and as a table setter, by around January 12, 2017,  
2 Burisma announced that any investigations into Mr.  
3 Zlochevsky or the company had been--those had ended.

4 According to a January 18, 2017, communication, a Blue  
5 Star Strategies employee and an individual at the State  
6 Department discussed you and Ms. Tramontano spoke by phone.  
7 Do you remember speaking to Ms. Tramontano in January 2017?

8 MS. NOVELLI: I don't remember the date of speaking to  
9 Karen. There are certainly emails between my administrative  
10 assistant and hers trying to find a time for us to talk.

11 MR. DOWNEY: Why did Ms. Tramontano want to speak to  
12 you in January of 2017?

13 MS. NOVELLI: I don't have a specific recollection of  
14 it other than she had a client who might have been  
15 interested in having somebody on their board.

16 If you recall the date of that, it was the very end of  
17 the administration. The administration was ending, like,  
18 within a couple weeks after that, and she was going to put  
19 me in touch with that person.

20 MR. DOWNEY: Did the topic of Burisma come up on that  
21 phone call?

22 MS. NOVELLI: I am quite certain it did not.

23 MR. DOWNEY: Did you discuss with Karen Tramontano or  
24 Sally Painter or other people in the State Department about  
25 the case, the Ukrainian case against Zlochevsky and Burisma

1 being ended in January of 2017?

2 MS. NOVELLI: No.

3 MR. DOWNEY: Thank you.

4 MR. WITTMANN: Hi, Ms. Novelli. I wanted to introduce  
5 in the record the document that the Minority referenced, and  
6 I just wanted to have that in the record, just so we're  
7 clear and also give you the opportunity to see the email for  
8 yourself. So we'll do that right now, and we'll enter it in  
9 as Exhibit 17.

10 MS. NOVELLI: Thank you. This is the Pakistan thing?

11 MR. WITTMANN: Correct.

12 MS. NOVELLI: Thank you.

13 MR. WITTMANN: I'm sorry. Exhibit 18.

14 [Novelli Exhibit No. 18 was  
15 marked for identification.]

16 MS. NOVELLI: Thank you.

17 MR. WITTMANN: Yeah, absolutely.

18 SO just rounding out this conversation, the reference  
19 is clearly--in this email, it says it was discussions about  
20 Pakistan. Do you remember when those--you had discussions  
21 about Pakistan with Ms. Tramontano?

22 MS. NOVELLI: No, I'm sorry. I do not.

23 MR. WITTMANN: We talked earlier about a meeting that  
24 was on your schedule on October 13, 2016, with Ms.  
25 Tramontano. Do you remember if in that meeting, you had

1 discussions about Pakistan?

2 MS. NOVELLI: Honestly, I just do not remember. I  
3 don't remember the substance.

4 MR. WITTMANN: Would there be instances of meetings or  
5 phone calls with Ms. Tramontano that would not appear on  
6 your schedule?

7 MS. NOVELLI: Not during, like, my working hours,  
8 certainly, and I don't remember meeting her outside of my  
9 working hours when I was Under Secretary.

10 MR. WITTMANN: Okay. Thank you.

11 I'm going to turn it back over to--

12 MR. FLYNN-BROWN: Ms. Novelli, can you hear me okay?

13 MS. NOVELLI: Yes, yes.

14 MR. FLYNN-BROWN: Great. Thank you.

15 A quick follow-up on our earlier exchange regarding  
16 your interactions with banks. So I'm just curious. In your  
17 position as Under Secretary, did you ever come into contact  
18 with the Financial Crimes Enforcement Network, FinCEN?

19 MS. NOVELLI: I don't remember that, no.

20 MR. FLYNN-BROWN: Do you know what that is? Do you  
21 know what FinCEN is?

22 MS. NOVELLI: You would have to--you would have to  
23 enlighten me.

24 MR. FLYNN-BROWN: Well, in regards to your interactions  
25 with Treasury, I believe you said earlier in the interview

1 process, that's--during some of the interagency meetings,  
2 Treasury was a partner in those meetings. Do you recall  
3 that?

4 MS. NOVELLI: Treasury attended interagency meetings,  
5 yes.

6 MR. FLYNN-BROWN: Right. So FinCEN, Financial Crimes  
7 Enforcement Network, tracks suspicious financial  
8 transactions, which you and I discussed earlier today. So  
9 it's curious if in your interactions with the banks with  
10 respect to Russia or Ukraine and you said, I believe, that  
11 they tried to get a--I think your term was "scene of the  
12 people in Russia," I'm trying to figure out whether or not  
13 you had any communications with FinCEN during the course of  
14 your communications with the banks.

15 MS. NOVELLI: No.

16 MR. FLYNN-BROWN: Did anyone below you have  
17 communications with FinCEN?

18 MS. NOVELLI: I have no idea.

19 MR. FLYNN-BROWN: Okay. Thank you for your time today.  
20 I appreciate it.

21 MS. NOVELLI: Sure.

22 [Pause.]

23 MR. FOLIO: Ms. Novelli, just adjusting all my  
24 microphones.

25 All right. So just a few more questions for you, Ms.

1 Novelli, and I think then we will be done.

2 Before we leave the Blue Star Strategies and Burisma  
3 relationship, I just want to be clear. Did you ever discuss  
4 Blue Star Strategies and their representation of Burisma  
5 with George Kent?

6 MS. NOVELLI: I certainly don't recall doing that.

7 MR. FOLIO: Would it have been something that you would  
8 have discussed with him in the course of your role as Under  
9 Secretary and his role as both--I think you said before  
10 working for Ms. Nuland and then separately working in the  
11 U.S. Embassy in Ukraine?

12 MS. NOVELLI: I didn't really talk to George Kent. I  
13 mean, I know who George Kent is, but I didn't really talk to  
14 George Kent when I was Under Secretary. I mean, I may have  
15 talked to him once or something, but he wasn't someone I  
16 normally talked to.

17 MR. FOLIO: Now I'd like to turn to a document that you  
18 produced to us and we want to introduce as Exhibit 19. And  
19 you have Bates numbered this. Your attorneys have Bates  
20 numbered this--Charlie, Nancy, zero, zero, zero, one--  
21 CN0001. And we'll mark this as Exhibit 19.

22 [Novelli Exhibit No. 19 was  
23 marked for identification.]

24 MR. FOLIO: Just a short email on November 7th, 2016.  
25 Ms. Novelli, you, from your personal email address,

1 emailed Karen Tramontano at her Blue Star Strategies email  
2 address and said, "Hi, Karen. Just forwarding you an  
3 updated bio in case it's useful. My fingers are crossed for  
4 tomorrow. Thanks a million for all of your help. Best,  
5 Kathy."

6 Why were you forwarding Ms. Tramontano an updated bio?

7 [No response.]

8 MR. FOLIO: I think you're muted, Ms. Novelli.

9 MS. NOVELLI: Sorry.

10 As I explained, she--I was looking to see what I could  
11 do at the end--after the administration was over. One of  
12 the things that I was considering was going on corporate  
13 boards, and Karen had a client who was interested in  
14 expanding internationally and was interested in possibly  
15 talking to me about what his board was about.

16 MR. FOLIO: So this was about a possible employment  
17 opportunity after your work at the Department?

18 MS. NOVELLI: I guess you could call it that. It was  
19 being on a board of directors.

20 MR. FOLIO: Is there any other way to describe it?

21 MS. NOVELLI: No. I guess not.

22 MR. FOLIO: I'd actually like to turn to a document  
23 we'll mark as Exhibit 20. So this is your Bates No. CN0003,  
24 and it's an email exchange between you and Ms. Tramontano on  
25 December 2nd, 2019, subject line, "Looking Forward to

1 Lunch," and you write, "See you soon at Equinox." Ms.

2 Tramontano responds, "Ditto."

3 [Novelli Exhibit No. 20 was

4 marked for identification.]

5 MR. FOLIO: And then we'll introduce the next document  
6 as Exhibit 21. It's a longer email exchange, and at the top,  
7 you write, "Ms. Tramontano, wonderful to see you yesterday."

8 [Novelli Exhibit No. 21 was

9 marked for identification.]

10 MR. FOLIO: So I guess the first question--and then  
11 we'll spend a little more time on the longer email  
12 exchanges--did you have lunch with Karen Tramontano at  
13 Equinox on December 2nd, 2019?

14 MS. NOVELLI: Yes.

15 MR. FOLIO: And what was the purpose of that lunch?

16 MS. NOVELLI: I was talking to her about the--I started  
17 a nonprofit after I left the State Department, after I tried  
18 to think about what I wanted to do, and I was doing  
19 listening sessions around the U.S. to talk to people about--  
20 talk to regular people about their views on international  
21 trade and globalization. And so I was trying to think about  
22 what to do for, like, maybe publishing something--Karen had  
23 published some articles about this--and also thinking about,  
24 you know, was there a think tank or something that might be  
25 interested that I could hook up with to sort of--to kind of

1 do this. So that was what I--the main purpose of my having  
2 lunch with her.

3 MR. FOLIO: So in the course of this email exchange,  
4 Ms. Tramontano sent you the first email on December 3, 2019,  
5 and if we can scroll down you can read through the entire  
6 email if you'd like. But the part I'd like to focus on is  
7 the third article which she sent you. Right there, that  
8 sentence--sorry, stop for a second, please, Will. She says,  
9 "Finally, the link to my quote in the Wall Street Journal  
10 article which followed the first smaller article." And if  
11 you could scroll down, please, Will, you'll see the three  
12 links that Ms. Tramontano included.

13 MS. NOVELLI: Okay.

14 MR. FOLIO: Did you and Ms. Tramontano discuss this  
15 Wall Street Journal article during your lunch?

16 MS. NOVELLI: Not in detail, but we discussed that we  
17 had both been called by a Wall Street Journal reporter.

18 MR. FOLIO: And why were you called by a Wall Street  
19 Journal reporter?

20 MS. NOVELLI: For the same article. For the same  
21 article, or an article that a Wall Street Journal reporter  
22 was working on about this whole question of Burisma and  
23 Hunter Biden and the email that was released under FOIA.

24 MR. FOLIO: And when you say "the email that was  
25 released under FOIA," was that the email that we looked at

1 previously during this interview?

2 MS. NOVELLI: Yes. It was the email from the personal  
3 on my staff that I never saw, asking for input from the  
4 Ukraine desk about Burisma, and saying Hunter Biden is on  
5 the board.

6 MR. FOLIO: And just for reference, this is the email  
7 that we introduced previously as Exhibit 12.

8 What did you and Ms. Tramontano discuss about this  
9 issue?

10 MS. NOVELLI: We did not spend much time discussing  
11 this issue at all, but this quote that Ms. Tramontano said  
12 that she gave them, saying she had known and worked with me  
13 for years, and didn't mention his name to secure the  
14 meeting, and I--we both agreed that she would not need to  
15 mention Hunter Biden's name to secure a meeting with me  
16 because I knew her and I had worked with her.

17 MR. FOLIO: The email, however, does show, at least as  
18 drafted by the State Department official, that in the course  
19 of that official's conversation with Ms. Tramontano she did  
20 mention Mr. Biden's position on the board of Burisma. So if  
21 she didn't need to mention that to secure the meeting with  
22 you, given your preexisting relationship, then did she  
23 discuss why she mentioned it at all?

24 MS. NOVELLI: No. We didn't discuss that.

25 MR. FOLIO: So looking at her quote, which she emailed

1 to you and where she said that she didn't mention Mr.  
2 Biden's name in order to secure the meeting, do you have any  
3 understanding as to, based on either what you talked about  
4 or what she emailed you, the purpose for which she didn't  
5 seem to mention Mr. Biden's name?

6 MS. NOVELLI: I have no--I do not know, but it wasn't  
7 in the email she sent to me asking for a meeting, and I  
8 agreed to it, based on the email she sent to me, so I don't  
9 know.

10 MR. FOLIO: During that lunch, did you all discuss that  
11 the email--did you discuss the investigation that Chairman  
12 Johnson and Chairman Grassley had started into this issue,  
13 specifically with regard to a request to the State  
14 Department on November 6, 2019, that quoted that email?

15 MS. NOVELLI: No, actually, we didn't. The only thing  
16 we talked about was this Wall Street Journal reporter  
17 writing an article. I don't think I even knew that an  
18 investigation had started.

19 MR. FOLIO: Ms. Novelli, do you know David Leiter?

20 MS. NOVELLI: David Leiter?

21 MR. FOLIO: The last name is spelled, or, I guess, also  
22 potentially pronounced "Leeter" [phonetic], spelled L-e-i-t-  
23 e-r, David "Leeter" [phonetic] or Leiter.

24 MS. NOVELLI: That name doesn't ring a bell.

25 MR. FOLIO: Mr. Leiter is a registered lobbyist for

1 Burisma. Have you ever met with Mr. Leiter to discuss  
2 Burisma?

3 MS. NOVELLI: No.

4 MR. FOLIO: Ms. Novelli, I think we're just about to  
5 end, if you can just indulge me for one second while I check  
6 with my colleagues to make sure there's nothing else. Thank  
7 you.

8 [Pause.]

9 MR. FOLIO: All right, Ms. Novelli, from Chairman  
10 Johnson's and Chairman Grassley's side I think we've  
11 concluded all the questions we have for you today. I'm not  
12 sure if the minority has any questions. Before we formally  
13 wrap up I'll ask Zack and David if they would like to take  
14 some more time.

15 MR. SCHRAM: Nothing from me. Dan?

16 MR. GOSHORN: Nothing from me.

17 MR. BERICK: No, I have nothing.

18 MR. FOLIO: Ms. Novelli, thank you very much. You have  
19 been very generous with your time. Thank you, Stuart and  
20 Chris, as well, for participating, and we appreciate you  
21 voluntarily appearing before the Committees, for answering  
22 our questions, and we will wish you the best.

23 MS. NOVELLI: Thanks.

24 MR. FOLIO: Goodbye, everyone.

25 [Whereupon, at 3:10 p.m., the Interview was concluded.]

# Washington Examiner

## Joe Biden emerges as Obama's trusty sidekick

By Susan Crabtree, Senior Congressional Reporter | | April 25, 2014 12:00 AM

Vice President Joe Biden has become the public face of the administration's handling of Ukraine, working to reassure Kiev and trying to talk tough with Russia.

During a whirlwind two-day visit to Ukraine, Biden met with the country's leaders and announced an additional \$50 million in aid. At a press conference, he delivered a lecture to Russian President Vladimir Putin, telling him to “stop talking and start acting” to defuse the crisis.

With no diplomatic end in sight, it's a high-stakes role for a vice president whose foreign policy chops were publicly mocked by former Defense Secretary Robert Gates, who wrote in a memoir published in January that Biden was “wrong on nearly every major foreign policy and national security issue over the past four decades.”

Any missteps or another Russian land grab could prove fatal to Biden's political ambitions as he weighs a 2016 presidential bid. Critics say it will be hard for the vice president, a former chairman of the Senate Foreign Relations Committee, to separate himself from the administration's policy on Ukraine.

After his trip, late-night comics took aim at the vice president's tendency to run at the mouth and make gaffes, joking that Putin — and everyone else — had long stopped listening to Biden.

Republican lawmakers were also unimpressed by his calls for the Kremlin to stop backing Russian separatists.

“Or else what?” asked Sen. John McCain, painting the vice president as the front man for an administration unwilling to take tough action against Russia.

Indeed, after Biden left Ukraine, it seemed that nothing had changed. Tensions with Moscow remain high, and Russian militants show no signs of backing down in eastern Ukraine.

But Biden's raising of the American flag in Kiev wasn't without benefit for President Obama, who was able to carry on with a week-long trip to Asia. And Biden's public diplomacy revealed Obama's new trust in his No. 2.

“So Biden talks a lot -- so what?” said James Goldgeier, dean of American University's School of International Service and a veteran of the Clinton White House's national security team. “The vice president has been extremely valuable to Obama --he's done everything the president could have asked for and more.”

The relationship between Obama and Biden is on the upswing following their 2012 low when the undisciplined -- but authentic -- vice president publicly supported gay marriage before the White House was ready to make the leap. Biden so angered the president's team that they reportedly froze him out of key meetings.

Since then, Obama has often turned to Biden to help in foreign policy binds — even if the assist only involves dispatching him to hot spots to repeat the administration's line.

Despite giving his vice president a chance to raise his foreign policy credentials, Obama has stayed neutral about Biden's political future.

“He has been, as I said earlier, a great partner in everything that I do,” Obama said, as he sat next to Biden in an interview.

“I suspect that there may be other potential candidates for 2016 who have been great friends and allies,” he added -- an awkward reference to former Secretary of State Hillary Clinton, who vastly outpolls other Democrats and whose presumed candidacy has frozen Biden in place.

At the same time, Clinton has political vulnerabilities. Her own foreign policy record is under scrutiny, especially now that her much-touted “reset” with Russia is in tatters. Clinton's “what difference does it make” remark during the Benghazi hearings cemented Republican views that the administration mishandled the terror attack that killed four Americans.

Still, Obama's relationship with Biden appears to be on the mend, possibly out of sheer necessity or long-term loyalty. The president has shown a new warmth in their relationship, posing for a selfie with Biden and joking that the two were on a “guys' trip” when they visited Pennsylvania.

Biden for his part has expressed comfort with acting publicly on Obama's behalf even as the president's poll numbers droop and his policies face tough criticism.

“There is nothing I would do differently,” Biden said about carrying out his job as he weighs future plans.

Many insiders believe Biden is keeping his name in the presidential mix because it's better to keep people guessing than declare the end of his long career while still in office. But Biden has made it clear he'll enjoy the ride while it lasts.

**From:**Karen Tramontano  
**Sent:**Fri, 16 May 2014 17:36:19 -0400  
**To:**Novelli, Catherine A  
**Cc:** [REDACTED]  
**Subject:**RE: Thank You  
**Attachments:**BISE Ghana Summary.pdf

Dear Cathy,

It is so great to see you in your new gig and to have such a delightful and wide-ranging discussion. I'm going to put some thoughts down on paper about supply chain/Africa/garments. It may take a couple of pre-meetings to get it in the right place for a "summit" discussion even an along the sidelines discussion – but I'll reach out quietly to a couple of brands to see if there's some traction. On the "deliverable" front, attached is a short concept note on our work in Ghana. As a stand-alone project with funding it could work – but I think it's more in line with the Summit goals if we can find a US investor in processing. I'll think about what else is out there that may be ready for a "next stage" and could be a good economic deliverable.

Have a good weekend – hope the vacuum cleaner purchase works out well ☺

Thank you so much for your time—

Warm regards,  
Karen

Karen A. Tramontano  
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202-898-9023 (main)  
[REDACTED] (mobile)

[www.globalfairness.org](http://www.globalfairness.org)  
[www.fairnessaward.org](http://www.fairnessaward.org)  
[www.befaircampaign.org](http://www.befaircampaign.org)

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**From:** Novelli, Catherine A [REDACTED]  
**Sent:** Friday, March 21, 2014 2:06 PM  
**To:** Karen Tramontano  
**Cc:** [REDACTED]  
**Subject:** RE: Wonderful to see you

Hi Karen,

It was such a pleasant surprise to see you at the Advisory Committee meeting on Wednesday! I would love to get together and am copying my assistant, [REDACTED] who can work with yours to make it happen as soon as humanly possible.

Can't wait to catch up.

Cathy

---

**From:** Karen Tramontano [<mailto:Karen.Tramontano@bluestarstrategies.com>]  
**Sent:** Wednesday, March 19, 2014 3:23 PM  
**To:** Novelli, Catherine A  
**Subject:** Wonderful to see you

Dear Cathy,  
It was so great to see you yesterday –an unexpected pleasure! I know how busy you are and don't want to impinge on your time but if you have a moment in the upcoming weeks to grab a coffee or whatever I'm available. I'm thrilled about your appointment – it's wonderful when good people like you – get recognized for their hard work, dedication and positive contribution. I wish you the very best,  
My warmest regards,  
Karen

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## BUILDING INCLUSIVE SHEA ECONOMIES

...local solutions for a global economy

*The Building Inclusive Shea Economies (BISE) is a joint program of the Global Fairness Initiative (GFI), Shea Nut Pickers and Shea Butter Processors Association (Pagsung), Africa 2000 Network Ghana (A2N-Ghana), EcoVentures, International Development Enterprises (IDE), and the Synapse Market Access Fund (Synapse Fund). Designed to scale up agricultural activity and ag-business models for women Shea nut pickers and processors in Northern Ghana, BISE will work to empower these workers by establishing greater control over the local economy, with emphasis on the Shea nut supply chain, building capacity among producers, and improving production practice and quality to facilitate and improve access to Shea nut markets so they too can benefit from a global economy.*

### Executive Summary

For centuries Africans have harvested the Shea fruit, a tropical commodity enmeshed within the history and culture of the West African savanna belt. In the past few decades Shea-derived products have seen increasing worldwide demand; however, for the majority of Shea nut pickers and processors this has not translated into improved livelihoods. In countries such as Ghana, millions of women Shea nut pickers and processors register among the poorest of the poor. Along with limited access to formal market structures and opportunities, women Shea nut pickers face myriad barriers including inaccessible government agencies and restrictions on land ownership, financial services, inheritance, and more. Despite meaningful advances in the past decade, the Shea industry as a whole as well as the national government and the existing market structures have been slow to promote the integration of the majority of the grassroots Shea industry in any meaningful way.

In 2010, GFI started working with Pagsung, an association of women Shea pickers and processors in Tamale, Ghana, to help them build a women-led business that can compete nationally and internationally. Building Inclusive Shea Economies (BISE) seeks to empower women Shea nut pickers and processors in the following 5 districts of Northern Ghana: 1. West Mumprusi District, 2. Tamale Metro, 3. Karaga District, 4. Tolon-Kumbungu District, 5. Savulgu-Nantong District

To strengthen their overarching livelihood goals, GFI is also addressing market diversification as well as strengthening decision-making mechanisms, thus building the foundation for a resilient local economy that can sustain a profitable and stable Shea production industry. Through this model GFI is providing women producers the tools, training, and connections they have long demanded to realize both their economic and social empowerment goals.

### BISE: Integrating Women Producers to Global Markets

The BISE program has been designed in consultation with multiple local and international partners and responds to their concerns about the lack of integration of the Shea Value Chain. The model will seek to build on the expertise of the BISE partnership with rural agricultural practices, optimizing supply chains, and organizing sales and distribution networks. This process enhances the quality, tractability, capacity, and efficiency of production through the use of technology, information, and support.

Scaling up production to achieve sustainable poverty reduction for grassroots entrepreneurs requires addressing many barriers – many that are deeply entrenched in social and market norms. Because of this, BISE will take the following steps:

**As a result of the BISE program, women throughout the five selected Districts in Northern Ghana will be well positioned to lead innovation through a grassroots, women-led business model.**

### **Component 1: Building the Foundation of the Shea Economy**

*Market Assessment:* GFI will launch the program by conducting a market assessment that provides a comprehensive understanding of real vs. perceived supply and demand, operational improvements, new market channels for raw and processed Shea nut, and maps opportunities for new livelihood enhancing enterprises.

*Life Cycle Assessment:* In order to identify a more complete set of business options, a life cycle assessment of Shea production will help audit resource use and waste so that efficiency improvements and profit opportunity can be extracted. This will facilitate the identification of new enterprise opportunities resulting from improved technologies or materials such as more efficient water or energy use, more sustainable materials and packaging, and effective waste utilization.

*Institution Building:* Through BISE's leadership, Pagsung will receive management trainings to strengthen its internal governance practices and improve resource management and transparency. Capacity building will focus on establishing clear governance, accounting, and revenue structures to ensure management sustainability upon program exit.

### **Component 2: Scaling up Production**

*Improve Production Capacity:* BISE will oversee the creation of a Trade Facilitation Center (TFC) integrated into the existing Pagsung organizational structure. The trade facilitation mechanism will not only improve collection, logistics and management but will also provide a central facility for storage, processing, sorting, packaging, and whatever else is necessary to drive the economic empowerment objectives of the BISE program.

*Improve Product Quality:* After collection logistics, the next barrier along the value-chain for Pagsung is rooted in the lack of equipment and infrastructure necessary to make Shea production competitive internationally. Introduction of equipment and infrastructure will be done gradually and directed by the needs of the growing business. Initially, pots, containers, sieves, and other basic equipment such as packaging material for transport will be upgraded. The larger infrastructure needs that support the TFC will require a more robust investment, and BISE will draw on the debt financing support of the Synapse Market Access Fund to raise the necessary capital.

*Leadership Development and Multi-Stakeholder Engagement:* GFI will utilize its experience in leading multi-stakeholder engagements to create linkages between the Northern Region communities, civil society organizations, government representatives, and the private sector. Being exposed to government agencies, buyers, national associations, and other related stakeholders will round the practical business trainings and strengthen the confidence and knowledge of women so they can participate as equals in the Shea Value Chain.

*Financial Literacy and Access to Financing:* While the Synapse Access Fund will provide expertise on successful loan management, the Pagsung women producers must learn to access other financial sources to ensure their long-term economic growth. Accounting and financial management skills are mandatory, but equally important are trainings to understand bank requirements, including loan application processes, and how to respond to market trends.

### **Component 3: Accessing Competitive Markets**

*Product Competitiveness:* BISE will implement the market analysis recommendations, which will identify the best markets for selected products and set a schedule of trainings so that new skills go hand in hand with new opportunities (including organically certified Shea).

*Value Chain Linkages:* Creating a connection between international structures and local producers is of significant importance, as it would mean that the women Shea pickers, the bottom of the pyramid, can access the highest paying structures of the Shea value chain.

## BISE Partnership Structure

**The Global Fairness Initiative (GFI)** was founded in 2002, with the aim to change the global poverty cycle and enable market-based solutions that benefit the world's poorest workers and producers. For BISE, GFI will be responsible for managing program activities and will ensure they meet participants' needs. GFI has worked extensively connecting producers with global markets, building successful direct relations with buyers, as well as establishing Trade Facilitation Centers, and will use this expertise throughout the program to link the Shea value chain from input suppliers to global markets.

**EcoVentures (EVI)** is a non-profit organization launched in 2002 to support the growth of sustainable local economies by linking enterprise development with environmental stewardship. EcoVentures will conduct a market analysis and life cycle assessment that will guide potential employment and self-employment opportunities in Shea processing. Building on EcoVentures' creative work in finding opportunities for bottom-of-the-pyramid workers, the market analysis will include personal development, interpersonal communication, leadership, and added value activities.

**Africa 2000 Network (A2N-Ghana)** was conceived in 1986 through a Canadian initiative during a special session of the United Nations General Assembly with the aim of giving support to grassroots initiatives. Africa 2000 Network will continue working with Pagsung in three districts of Northern Region on improving internal best practices for sustainable growth with a focus on women's leadership and environmental sustainability.

**Concern Universal** is a UK international NGO working in 12 countries, five of which are in West Africa. The organization works to fight poverty and inequality and support practical actions that enable the poor to improve their lives and shape their own futures. Concern Universal has been operating in Ghana since 1999 in the areas of Sustainable Livelihoods, Water, Sanitation & Hygiene (WASH), Microfinance, and Disaster Risk Reduction among the rural poor. Concern Universal will replicate and expand the work of Pagsung and A2N-Ghana to two additional districts of the Northern Region, enhancing livelihoods through market development and enabling access to local financial mechanisms.

**Synapse Market Access Fund** is a registered institution with a 501(C)(3) status under the fiscal and administrative sponsorship of GFI. Synapse is committed to creating economic opportunity for the working poor by catalyzing the growth of inclusive financial markets and mechanisms in developing economies. Synapse will provide access to debt financing structured at interest rates and repayment schedules that consider livelihood impact, farming cycles, and prospects for business growth.

**International Development Enterprises (iDE)** does extensive work in Central America and has fifteen years of experience in affordable irrigation and water management technologies. IDE will lead the Research and Development (R&D) needed to produce and promote affordable production, irrigation, and water management technologies needed to improve production and reduce costs.

### **Pagsung Shea Butter Processors and Shea Nut Pickers Association**

Registered in 2009, Pagsung is an association of eighteen women's groups working in Shea nut collecting and Shea butter processing. Located in Tamale, Ghana, Pagsung has a total membership of 754. Pagsung was established through the Africa 2000 Network as a vehicle for women from various communities to share best practices and pool their resources in order to meet bigger and more lucrative market opportunities.

**From:**Jenkins, Yvette Y  
**Sent:**Thu, 17 Apr 2014 14:25:37 -0400  
**To:** [REDACTED];Duncan, John D;Heidt, William A; [REDACTED]  
**Subject:**Paper Status for U/S Novelli's - Friday, April 18

Please provide paper status concerning U/S Novelli's meetings **highlighted** below. Thank you. Yvette

## U/S Catherine Novelli's Schedule for Friday, April 18

- 8:30 AM – 9:00 AM E Staff Meeting  
Room 7256
- 9:15 AM – 9:45 AM (S) Deputies Senior Staff Meeting  
D Conference Room
- **10:00 AM – 11:30 AM** ***(T) G-7 Meeting***  
***Room 7250***
- **12:00 PM – 2:00 PM** ***Lunch with Chairman Fred Hochberg***  
***Martin Van Buren Dining Room***
- 2:00 PM – 3:00 PM Coffee with Karen Tramontano  
tbd
- 3:00 PM – 6:00 PM Block

[REDACTED] - ☺ | Office of the Under Secretary for Economic Growth, Energy, and the Environment|  
Department of State| Washington, DC 20520| Room 7256| 202/647-8854| [REDACTED]

**From:** Malik, Sabeen

**Sent:** Wed, 20 Aug 2014 22:39:54 +0000

**To:** 'Karen Tramontano'

**Subject:** RE: Would You be on an Award Committee?

**Attachments:** Briefing Notes for Selection Committee Members on sharePoint 2 2014.docx, Charles E Cobb award.doc, Charles E. Cobb Award for Initiative and Success in Trade Development Scoresheet.doc, Cobb Award Selection Committee Members.docx, 2014 Charles E Cobb Award Sung Kim Korea.pdf, Douglas Griffiths for Charles Cobb.pdf, Ford Hart - Cobb Nomination 2014.pdf, Michael H. Corbin for Charles Cobb.pdf, Norland Cobb.pdf

Dear Karen,

On behalf of the Cobb Award Selection Committee, thank you again for taking the time to serve on the selection committee. As per your email to U/S Cathy Novelli, I wanted to send you an update on the time of the Committee meeting and email you a copy of the nomination packet. You mentioned that you will be calling in and the conference line number is: **202-647-8923**. The committee will be meeting at **10am (EST) on 8/26**.

The nomination packet should include:

- A briefing note for committee members
- Cobb Award Eligibility criteria
- Score sheet
- Cobb Award Selection Committee members and bios
- 5 Candidate nominations

If you have any questions on the nomination packets or any logistical questions, please feel free to send me a note or call.

Sincerely,

SABEEN MALIK | SENIOR ADVISOR | U.S. DEPARTMENT OF STATE

O:202-647-9333 | BB: [REDACTED] | EMAIL: [REDACTED]

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**From:** Karen Tramontano [mailto:Karen.Tramontano@bluestarstrategies.com]

**Sent:** Thursday, July 03, 2014 3:32 PM

**To:** Novelli, Catherine A

**Cc:** Heidt, William A; Malik, Sabeen; Caleb Shreve

**Subject:** RE: Would You be on an Award Committee?

Dear Cathy

I am thrilled that you are holding a supply chain event for the summit. It will be a key ingredient to getting the metrics right on these issues. Most unfortunately, I will be out of town with my niece and nephew on our annual summer vacation -- I would however love to have GFI represented if that were at all possible. Caleb Shreve who you probably know from your and his White House days has been GFI's Executive Director for many years and frankly knows more about supply chain issues than I ever will. So if substitutes are possible he would be my choice! On the Cobb Selection Committee - I would be honored to serve. If I could call into the meeting

on the 26th that would be great ..since I'm away that week as well. Sorry about my absence, August is the only time I'm able to get away given my commitments to Blue Star and GFI. Let me know if my by phone participation would be acceptable and whether Caleb could be with you on the 6th. I'm also scheduled in two weeks to have a follow on discussion with US AID along the lines of our discussion e.g. putting employment back into the poverty alleviation program. Thanks again for everything good luck in your work and travels,  
warmest regards  
Karen

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**From:** Novelli, Catherine A [REDACTED] >  
**Sent:** Thursday, July 3, 2014 3:10 PM  
**To:** Karen Tramontano  
**Cc:** Heidt, William A; Malik, Sabeen  
**Subject:** Would You be on an Award Committee?

Hi Karen,

It was so fun to talk with you last month. Based on our discussion, we are moving ahead with a supply chain event in conjunction with the African Leaders' summit. We would love for you to be a part of it. GE has agreed to host and we are looking at getting the Ops folks who direct supply chains for a variety of companies to discuss the issues that they look at in making decisions—including labor and environment issues. Don't know if there are any textile brands who you think we should reach out to, but would love to have them. The idea would be to follow up this discussion with AID assistance to fill in the gaps to help countries get where they need to go in terms of rules of the road and enforcement. We are planning to hold this on Aug. 6 in the afternoon.

Lest one request is not enough, I am in charge of constituting the Committee who selects the winner of the Department of State's Cobb Award. The Cobb Award was developed in conjunction with Ambassador Cobb, (<http://www.secureenergy.org/diplomatic-council-energy-security/ambassador-charles-e-cobb-jr>), as an award for career ambassadors in trade development. This award is presented to career members of the Foreign Service serving in an ambassadorial appointment for noteworthy success in developing trade between other nations and the United States, and consists of a certificate signed by the Secretary of State and \$10,000.

Given all you have been doing in the development area, I thought you would be a great addition to the Cobb Selection Committee. The commitment is one meeting for about an hour and 30 minutes to review the nominees (usually between 5-7), and attending the Awards ceremony (if you choose) sometime in mid-November. Currently, the selection committee is tentatively scheduled to meet on August 26th at 3:00pm at the State Department. Let me know if this is something you would be willing to do.

I am off to Japan and then China for the S&ED and then on vacation for a week, but reachable by email. Look forward to catching up when I am back in DC. Hope all is well with you. Happy Fourth!

Best,  
Cathy

From: [REDACTED]  
Sent: Mon, 17 Nov 2014 12:12:35 -0500  
To: [REDACTED]; Duncan, John D.; [REDACTED]; Heidt, William A.; [REDACTED],  
[REDACTED] Malik, Sabeen  
Subject: Paper status for U/S Novelli - Tuesday, November 18

Please let me know paper status for Cathy's meetings  
**highlighted** below. Thank you! [REDACTED]

## U/S Catherine A. Novelli Tuesday, November 18

- 8:30 AM – 9:10 AM E Staff Meeting  
Room 7256
- 9:15 AM – 9:45 AM (S) Deputies Senior Staff Meeting  
D Conference Room
- **10:45 AM – 11:45 AM** *WHA DCM Conference  
Marshall Conference Center*
- 12:00 PM – 1:30 PM Lunch
- **2:00 PM – 2:30 PM** *Félix Braz, Luxembourg's  
Minister of Justice  
Room 7256*
- **3:00 PM – 3:30 PM** *ILO Director General Guy Ryder  
and Karen Tramontano, CEO of  
Blue Star Strategies  
Room 7256*
- **4:00 PM – 4:30 PM** *Professor Michael Posner, NYU  
Stern School of Business  
Room 7256*
- 5:00 PM – 5:45 PM STAFF TIME

■ 6:00 PM – 7:00 PM READING BLOCK

██████████ - ☺ | Office of the Under Secretary for Economic Growth, Energy, and the Environment |  
Department of State | Washington, DC 20520 | Room 7256 | 202/647-8854 | ██████████

**From:** [REDACTED] on behalf of Novelli, Catherine A  
**Sent:** Wed, 21 Oct 2015 19:13:30 -0400  
**To:** [REDACTED]  
**Subject:** USGLC Global Initiative  
**Attachments:** FW: Following up on USGLC Invitation to U/S Novelli, USGLC October 23 Luncheon\_Background Memo\_Updated.pdf



## MEMORANDUM

To: Under Secretary Cathy Novelli, U.S. Department of State  
From: Liz Schraye, USGLC President & CEO  
Re: USGLC Luncheon  
Date: October 20, 2015

We are honored you are joining us as our special guest on Friday, October 23rd. I have enclosed background information for the meeting and information on logistics. If you or your staff has any questions, please contact Emily Benovitz at (202) 730-4169 or [ebenovitz@usglc.org](mailto:ebenovitz@usglc.org). We look forward to a lively and engaging discussion with you and our leadership.

### 1. BACKGROUND AND LOGISTICS

- The luncheon provides an opportunity to engage you on your leadership on economic statecraft, on engaging and partnering with the private sector, and on the impact of science and technology in the fight to end extreme poverty.
- Please arrive at the *Top of the Hay*, on the top level of The Hay Adams Hotel (800 16th Street NW) at 11:45 a.m.**
- The luncheon will begin promptly at 12:00 p.m. and conclude by 1:30 p.m.
- Participants include approximately 25-30 of the USGLC's senior leadership as well as other business and NGO leaders (*full participant list below*).
- The conversation is off-the-record and not for attribution. All remarks will be delivered informally from the table.

### 2. LUNCH FORMAT & DISCUSSION TOPICS

The lunch will begin with a brief introduction of the USGLC and its advocacy to strengthen diplomacy and development. You will be invited to deliver 10 minutes of remarks about the State Department's Economic Statecraft agenda and efforts to promote economic prosperity to address global challenges. We would especially welcome examples that highlight your efforts to build partnerships with the private sector, to foster innovation through science and technology, and to address the economic conditions that underlie countering violent extremism. This will be followed by a moderated conversation. Some questions may include:

- Partnerships.** Many of us have seen a number of terrific partnerships at State. Yet these partnerships can sometimes seem a bit "one off." How are you working to integrate them into how you do business and make them more sustainable?
- Economic Growth in Africa.** At the Africa Leaders Summit, you hosted an event with American business, such as Coca-Cola, UPS, Walmart, and Procter and Gamble that focused on promoting their participation in global supply chains in Africa. Where are you seeing results in this area?

**Commercial Diplomacy.** Secretary Rice used to say that there were 200 of the fastest growing cities around the world with more than a million people where the United States did not even have a diplomatic presence. How far have we come to address this challenge (and opportunity for American businesses) and what still needs to be done?

**Technology and Global Development.** At the UN last month, you announced the launch of the “Global Connect” initiative, which aims to bring 1.5 billion people online by 2020. Can you tell us more and how this initiative promotes both sustainable global economic development and U.S. economic prosperity?

**Wildlife Trafficking.** You traveled to Africa and highlighted the national security implications of terrorist groups like al-Shabaab drawing 40% of their funding from the illicit sales of endangered animals. How can State’s tools of economic statecraft contribute to countering this national security problem?

**Trade and the Enabling Environment.** You work with Ambassador Rivkin on trade policy and programs at State. The link between trade and aid seems to be stronger than ever before. How can U.S. be more effective in promoting rule of law, fighting corruption, and strengthening local institutions to unlock trade with American businesses?

**Power Africa.** You oversee the Energy Resources Bureau, which advances the necessary reforms for increasing foreign investment relating to the Power Africa initiative in the energy sector. What impact are you seeing from these efforts? How are you working with other government agencies like USAID on Power Africa?

**Economy & Competitive Playing Field.** Foreign Policy magazine released its list of best countries for foreign investment, and 7 of top 10 are in developing world, where we also see enormous competition from countries like China. How are you strengthening the capacity of America’s diplomats to maintain a competitive edge in these countries?

### **3. LUNCHEON TIMELINE**

**11:45 a.m. Guests Arrive**

**12:00 p.m. Program Begins**

**12:05 p.m. Welcome Remarks**

**12:15 p.m. USGLC Update**

**12:22 p.m. Introduction of Under Secretary Cathy Novelli**

**12:25 p.m. Opening Remarks – Under Secretary Cathy Novelli**

**12:35 p.m. Interactive Discussion – facilitated by Liz Schrayner, USGLC**

**1:25 p.m. Closing Remarks**

**1:30 p.m. Lunch Concludes**

### **4. ABOUT THE U.S. GLOBAL LEADERSHIP COALITION**

The **U.S. Global Leadership Coalition** is a broad-based influential network of 400 businesses and NGOs; national security and foreign policy experts; and business, faith-based, and community leaders in all 50 states who support a smart power approach of elevating diplomacy and development alongside defense in order to build a better, safer world.

The USGLC is supported by an **Advisory Council** of prominent foreign policy and national security experts including all of the former Secretaries of State and former Cabinet officials, as

well as former Members of Congress. Former Secretary of State Colin Powell serves as the Honorary Chair.

□ The USGLC's **National Security Advisory Council** is comprised of over 160 retired three- and four-star generals and flag officers committed to strengthening America's national security strategy with the increased use of our non-military tools. Members of the National Security Advisory Council have sent letters to Congress in support of a strong and effective International Affairs Budget, met with senior lawmakers on Capitol Hill, and authored opinion pieces around the country.

□ **Veterans for Smart Power** is a group of veterans of all ages and ranks who share a commitment to elevating and strengthening our non-military tools of global engagement. Launched in 2010, there are currently nearly 30,000 supporters of Veterans for Smart Power with active groups in 15 states across the country.

Dear [REDACTED]

I hope your week has been going well! It was good to touch base earlier this week about U/S Novelli coming to USGLC. I have attached the original invitation we sent her in case. I wanted to check in again about her availability during the week of October 19<sup>th</sup> on Tuesday October 20<sup>th</sup>, Wednesday October 21<sup>st</sup> or Thursday October 22<sup>nd</sup> for either a lunch or breakfast event. Please let me know which works best so we can begin to move forward scheduling what is sure to be a great event. Thank you for your help thus far! Feel free to give me a call if you have any other questions I can answer.



**From:** Leah Goldman  
**Sent:** Fri, 18 Sep 2015 15:53:27 -0400  
**To:** [REDACTED]  
**Subject:** FW: Following up on USGLC Invitation to U/S Novelli  
**Attachments:** USGLC Invitation to Under Secretary Cathy Novelli Invite.pdf

Dear [REDACTED],

I hope your week has been going well! It was good to touch base earlier this week about U/S Novelli coming to USGLC. I have attached the original invitation we sent her in case. I wanted to check in again about her availability during the week of October 19<sup>th</sup> on Tuesday October 20<sup>th</sup>, Wednesday October 21<sup>st</sup> or Thursday October 22<sup>nd</sup> for either a lunch or breakfast event. Please let me know which works best so we can begin to move forward scheduling what is sure to be a great event. Thank you for your help thus far! Feel free to give me a call if you have any other questions I can answer.

Best,  
Leah Goldman

**Leah Goldman** | National Events Associate | p: (202) 730-4141 | f: (202) 689-8910  
[U.S. Global Leadership Coalition](#) | 1129 20th Street NW, Suite 600, Washington, DC 20036 | [@USGLC](#)



September 18, 2015

The Honorable Catherine Novelli  
Under Secretary of State  
U.S. Department of State  
2201 C Street, NW  
Room 7256  
Washington, DC 20520

Dear Under-Secretary Novelli,

On behalf of the U.S. Global Leadership Coalition (USGLC), we are writing to **invite you to be our honored guest and featured speaker at a small, private breakfast or lunch in Washington, D.C. this fall.** We know our community would welcome the opportunity to hear your insights on the unique contribution civilian programs are making to advance our national security and economic interests. Our leadership would welcome the opportunity to hear your insights on these issues, drawing on your experience as Under Secretary of State for Economic Growth, Energy and the Environment.

The event will bring together foreign policy thought leaders and senior business and NGO leaders from the USGLC's diverse coalition for an off-the-record discussion on the importance of multilateral actors in advancing America's global interests. Over the past several years, the USGLC has held similar events with Deputy Secretaries Heather Higginbottom and Tony Blinken, along with General Colin Powell, Secretary Larry Summers, Secretary Madeleine Albright, General Martin Dempsey, and many more.

As you may know, the USGLC is a broad-based, influential network of 400 businesses and NGOs; national security and foreign policy experts; and business, military, and civic leaders who support a smart power approach of elevating diplomacy and development alongside defense. Our Advisory Council includes all of the former Secretaries of State and our National Security Advisory Council, includes over 150 four- and three-star retired generals and flag officers, complemented by a nationwide network of over 30,000 veterans. *A complete list of our Board of Directors is attached.*

Our colleague, Emily Benovitz, will follow up with your office regarding a date that may work with your schedule. In the meantime, please feel free to have your staff contact her at [ebenovitz@usglc.org](mailto:ebenovitz@usglc.org) or 202-730-4169 with any questions.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Dan Glickman".

Honorable Dan Glickman  
Chairman of the Board

A handwritten signature in black ink that reads "Liz Schroyer".

Liz Schroyer  
President & CEO



## Board of Directors

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Principal, **Deloitte Consulting LLP**

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Senior Fellow, **The Brookings Institution**

Vice President of Global Engagement and Policy, **Mercy Corps**

Director of External Affairs, **Creative Associates**

Senior Policy Analyst, **PAI**

Former White House Communications Director

President & CEO, **IREX**

Senior Director for Intentional Operations and Policy, **Boeing**

Director of Policy Communication, **Intel**

Vice President, International Affairs, **U.S. Chamber of Commerce**

Senior Director, Advocacy, **Catholic Relief Services**

Resident Scholar, **American Enterprise Institute**

General Manager, Global Corporate Public Policy, **Chevron**

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Vice President, Washington International Business Development, **Lockheed**

**Martin Corporation**

Co-Founder & Chairman, **Center for Global Development**

Co-Founder & President, **Women Thrive Worldwide**

Co-Chairman of the Board and Chairman, **Loews Corporation**

Senior Director, Federal Government Relations, **Wal-Mart**

Vice President, Public Policy and Advocacy, **International**

**Rescue Committee**

Executive Vice President, **Sesame Workshop**

Executive Vice President, **RTI International**

President & CEO, **InterAction**

Vice President, Public Policy, **UN Foundation**

Director, Advocacy & Government Relations, **World Vision**



## MEMORANDUM

To: Under Secretary Cathy Novelli, U.S. Department of State  
From: Liz Schraye, USGLC President & CEO  
Re: USGLC Luncheon  
Date: October 20, 2015

We are honored you are joining us as our special guest on Friday, October 23rd. I have enclosed background information for the meeting and information on logistics. If you or your staff has any questions, please contact Emily Benovitz at (202) 730-4169 or [ebenovitz@usglc.org](mailto:ebenovitz@usglc.org). We look forward to a lively and engaging discussion with you and our leadership.

### 1. BACKGROUND AND LOGISTICS

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- The luncheon provides an opportunity to engage you on your leadership on economic statecraft, on engaging and partnering with the private sector, and on the impact of science and technology in the fight to end extreme poverty.
- **Please arrive at the *Top of the Hay*, on the top level of The Hay Adams Hotel (800 16<sup>th</sup> Street NW) at 11:45 a.m.**
- The luncheon will begin promptly at 12:00 p.m. and conclude by 1:30 p.m.
- Participants include approximately 25-30 of the USGLC's senior leadership as well as other business and NGO leaders (*full participant list below*).
- The conversation is off-the-record and not for attribution. All remarks will be delivered informally from the table.

### 2. LUNCH FORMAT & DISCUSSION TOPICS

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The lunch will begin with a brief introduction of the USGLC and its advocacy to strengthen diplomacy and development. You will be invited to deliver 10 minutes of remarks about the State Department's Economic Statecraft agenda and efforts to promote economic prosperity to address global challenges. We would especially welcome examples that highlight your efforts to build partnerships with the private sector, to foster innovation through science and technology, and to address the economic conditions that underlie countering violent extremism. This will be followed by a moderated conversation. Some questions may include:

- **Partnerships.** Many of us have seen a number of terrific partnerships at State. Yet these partnerships can sometimes seem a bit "one off." How are you working to integrate them into how you do business and make them more sustainable?
- **Economic Growth in Africa.** At the Africa Leaders Summit, you hosted an event with American business, such as Coca-Cola, UPS, Walmart, and Procter and Gamble that focused on promoting their participation in global supply chains in Africa. Where are you seeing results in this area?
- **Commercial Diplomacy.** Secretary Rice used to say that there were 200 of the fastest growing cities around the world with more than a million people where the United States

did not even have a diplomatic presence. How far have we come to address this challenge (and opportunity for American businesses) and what still needs to be done?

- **Technology and Global Development.** At the UN last month, you announced the launch of the “Global Connect” initiative, which aims to bring 1.5 billion people online by 2020. Can you tell us more and how this initiative promotes both sustainable global economic development and U.S. economic prosperity?
- **Wildlife Trafficking.** You traveled to Africa and highlighted the national security implications of terrorist groups like al-Shabaab drawing 40% of their funding from the illicit sales of endangered animals. How can State’s tools of economic statecraft contribute to countering this national security problem?
- **Trade and the Enabling Environment.** You work with Ambassador Rivkin on trade policy and programs at State. The link between trade and aid seems to be stronger than ever before. How can U.S. be more effective in promoting rule of law, fighting corruption, and strengthening local institutions to unlock trade with American businesses?
- **Power Africa.** You oversee the Energy Resources Bureau, which advances the necessary reforms for increasing foreign investment relating to the Power Africa initiative in the energy sector. What impact are you seeing from these efforts? How are you working with other government agencies like USAID on Power Africa?
- **Economy & Competitive Playing Field.** Foreign Policy magazine released its list of best countries for foreign investment, and 7 of top 10 are in developing world, where we also see enormous competition from countries like China. How are you strengthening the capacity of America’s diplomats to maintain a competitive edge in these countries?

### 3. LUNCHEON TIMELINE

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- 11:45 a.m.    **Guests Arrive**
- 12:00 p.m.    **Program Begins**
- 12:05 p.m.    **Welcome Remarks**
- 12:15 p.m.    **USGLC Update**
- 12:22 p.m.    **Introduction of Under Secretary Cathy Novelli**
- 12:25 p.m.    **Opening Remarks – Under Secretary Cathy Novelli**
- 12:35 p.m.    **Interactive Discussion – facilitated by Liz Schrayner, USGLC**
- 1:25 p.m.     **Closing Remarks**
- 1:30 p.m.     **Lunch Concludes**

### 4. ABOUT THE U.S. GLOBAL LEADERSHIP COALITION

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- The **U.S. Global Leadership Coalition** is a broad-based influential network of 400 businesses and NGOs; national security and foreign policy experts; and business, faith-based, and community leaders in all 50 states who support a smart power approach of elevating diplomacy and development alongside defense in order to build a better, safer world.
- The USGLC is supported by an [Advisory Council](#) of prominent foreign policy and national security experts including all of the former Secretaries of State and former Cabinet officials, as well as former Members of Congress. Former Secretary of State Colin Powell serves as the Honorary Chair.
- The USGLC’s [National Security Advisory Council](#) is comprised of over 160 retired three- and four-star generals and flag officers committed to strengthening America’s national security strategy with the increased use of our non-military tools. Members of the National Security Advisory Council have sent letters to Congress in support of a strong and effective International Affairs Budget, met with senior lawmakers on Capitol Hill, and authored opinion pieces around the country.
- [Veterans for Smart Power](#) is a group of veterans of all ages and ranks who share a commitment to elevating and strengthening our non-military tools of global engagement. Launched in 2010, there are currently nearly 30,000 supporters of Veterans for Smart Power with active groups in 15 states across the country.

## 5. PARTICIPANT LIST

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- Benjamin Bartlett, Manager, Global Policy Development, Facebook
- Tom Callahan, Vice President Government Affairs, PAE
- Stephanie Childs, Vice President, Federal Government Affairs and Head of Washington, D.C. Office, Pepsi Co
- Thomas Eldridge, Senior Vice President, Government Affairs, SAIC
- Kate Friedrich, Vice President, Global Government Affairs, Thomson Reuters
- Leslie Griffin, Senior Vice President, International Public Policy, UPS
- Jodi Hanson Bond, Vice President for the Americas, U.S. Chamber of Commerce
- Tara Hogan Charles, Senior Manager, Global Government Relations and Public Policy, Procter & Gamble
- Kate Irvin, Group Director Diplomatic Relations, Coca- Cola Company
- Martin Lowery, Executive Vice President of Member and Association Relations, NRECA
- Greta Lundeberg, Vice President, Strategy and Advocacy, The Boeing Company
- Lisa Malloy, Director of Policy Communications and Government Relations, Intel Corporation
- Todd Menotti, Senior Director, International Corporate Affairs, Tyson
- Paul Neureiter, Executive Director for International Affairs, AMGEN
- Nora O'Connell, Associate Vice President Public Policy and Advocacy, Save the Children
- Orion Poulin, Business Development Manager, Planson International
- Federica Rabiolo, Manager, External Affairs, eBay
- Ignacio Rodriguez, Marketing and Communications Director, Tetra Tech
- Kate Thompson, Principal, Deloitte Services LP
- Sarah Thorn, Senior Director, Federal Government Relations, Walmart
- Liz Schrayner, President & CEO, USGLC
- John Glenn, Policy Director, USGLC

**From:** [REDACTED]  
**Sent:** Wed, 28 Oct 2015 11:22:40 -0400  
**To:** Brink, Bridget A  
**Cc:** [REDACTED]; EUR-Staff-Assistants-DL  
**Subject:** FW: for EUR FO clearance: S/ES 201515318 due 28-OCT-2015 12:00 PM: BCL for Novelli meeting with Blue Star Strategies re macro financial assistance for Ukraine  
**Attachments:** E Tasker Blue Star.pdf, 151027 Novelli Blue Star BCL.docx

Bridget, please see attached for your clearance. Thanks!

[REDACTED]  
EUR Staff Assistant  
(202) 736-7928

---

**From:** [REDACTED]  
**Sent:** Tuesday, October 27, 2015 3:55 PM  
**To:** EUR-Staff-Assistants-DL  
**Cc:** [REDACTED]  
**Subject:** for EUR FO clearance: S/ES 201515318 due 28-OCT-2015 12:00 PM: BCL for Novelli meeting with Blue Star Strategies re macro financial assistance for Ukraine

Colleagues,

I just received Ukraine desk clearance on this and I'm moving it forward to the FO for clearance. The Tasker due date is tomorrow at 12 PM.

Thanks for your help, and please let me know if you have any questions.

[REDACTED]

[REDACTED]

U.S. Department of State  
Office of the Coordinator for Assistance to Europe and Eurasia (EUR/ACE)  
Tel: [202-647-6878](tel:202-647-6878)

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This email is UNCLASSIFIED.

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**From:** [REDACTED]  
**Sent:** Monday, October 26, 2015 10:56 AM  
**To:** [REDACTED]  
**Subject:** RE: E meeting with Blue Star Strategies

E has met with them before. They've indicated that they want to discuss Ukraine and noted the following:

- Blue Star has been engaged by the Open Society Foundation to work on economic aid for Ukraine
- Knowing of U/S Novelli's critical role in Ukraine loan agreement we would like to learn more about US capacity to grant greater economic aid to Ukraine
- We would like to brainstorm with the U/S on where more aid could be found from within the USG and learn how we could helpful

Best,

[REDACTED]

**From:** [REDACTED]  
**Sent:** Friday, October 23, 2015 4:32 PM  
**To:** EUR-ERA-DL  
**Cc:** EUR-Staff Assistants-DL  
**Subject:** FW: New S/ES 201515318 Principal Tasker for E by EUR due on 28-Oct-2015 12:00:00 PM

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

See tasker due to staffers 10 am for DAS approval on 10/27, many thanks

**From:** EverestMail  
**Sent:** Friday, October 23, 2015 4:28 PM  
**To:** Everest\_EUR  
**Cc:** Everest\_EB; Everest\_ENR; Everest\_EUR; Everest E-Mail  
**Subject:** New S/ES 201515318 Principal Tasker for E by EUR due on 28-Oct-2015 12:00:00 PM

A new E Tasker has been issued.

**CLASSIFICATION:** U – Unclassified  
**FOR:** E  
**ORGANIZATION:** EUR  
**CO-DRAFTER BUREAU:**  
**COPY TO:** E  
**SUBJECT:** U/S Novelli's Meeting with Karen Tramantano and Sally Painter  
**REQUESTED ACTION:** Briefing Checklist  
**CLEARANCES:** E;EB;ENR;EUR  
**DUE DATE:** 28-Oct-2015 12:00:00 PM  
**EVENT DATE:** 30-Oct-2015 02:30:00 PM  
**NOTES:**

**DESCRIPTION:** Please provide a fully-cleared BCL for U/S Novelli's meeting with Karen Tramantano and Sally Painter of Blue Star Strategies regarding their project with Open Society Foundation to work on economic aid for Ukraine. They would like to discuss the loan guarantee for Ukraine and the possibility for more assistance from the USG. Please include relevant TPs and background, including stats on our current assistance for Ukraine.

Bureaus and offices wishing to clear on this memo should contact the drafting bureau as soon as possible.

**CREATED BY:** E

**LINK:** [201515318 Tasker](#)

*Please note that this link will expire 2 weeks after the e-mail is sent, for security reasons. If this link is expired, please use the **Advanced Search** to find the package by typing in the S/ES ID number.*

Sensitive  
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SENSITIVE BUT UNCLASSIFIED

**Under Secretary Novelli's Meeting with Karen Tramontano and Sally Painter  
of Blue Star Strategies  
Friday, October 30, 2:30pm**

**CONTEXT**

(SBU) The Open Society Foundation (OSF), led by George Soros, retained Blue Star Strategies to assist them in promoting greater economic aid for Ukraine. Soros is a vocal proponent of greater macro financial assistance to Ukraine from Europe and the United States and is a frequent interlocutor with U.S. government principals on Ukraine issues. Blue Star Strategies is aware of your role in our sovereign loan guarantees for Ukraine, and would like to discuss the U.S. government's capacity to provide greater economic aid to Ukraine. **You should ask Blue Star Strategies for Soros' latest thinking and advocacy goals for Ukraine economic aid and convey that Ukraine assistance remains a top policy and assistance priority for the U.S. government.** You last met with Karen Tramontano from Blue Star Strategies on February 2, 2015.

**1. (SBU) New OSF Advocacy Effort for Ukraine: We are grateful to Mr. Soros and the Open Society Foundation for their continued engagement in Ukraine—I think we share many of the same goals. What is your current project with the Open Society Foundation?**

- Ask them about OSF's advocacy efforts with the Europeans.

**(SBU) Background:** Since the Ukraine crisis began in 2014, Soros has repeatedly emphasized the importance of the “new Ukraine” to Europe's future and argued that supporting Ukraine should be Europe's top priority, ahead of Greece, migration, and other challenges. Soros has articulated a strategy for Ukraine founded on strong political pressure on Russia; high levels of financial assistance for Ukraine, including large-scale budgetary support and political risk insurance; and radical economic and political reforms in Ukraine. Soros believes that the EU has not provided sufficient macro financial assistance to Ukraine. He recently published an updated “winning strategy for Ukraine” and again called on the EU to provide substantial macro financial assistance to Ukraine through its Macro-Financial Assistance mechanism (a tool allowing EU members to borrow funds from financial markets using the EU's AAA credit rating; the EU would need to modify the mechanism to use it on behalf of non-EU member Ukraine). He wants Ukraine's allies, by the end of 2015, to declare their commitment to do “whatever it takes” to enable Ukraine to survive and pursue far-reaching economic and political reforms. Among other things, this commitment would require

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SENSITIVE BUT UNCLASSIFIED

- 2 -

significantly more macro financial assistance to Ukraine. In the past, Soros has expressed general satisfaction with the level of U.S. support for Ukraine. He has directed his most vocal criticism at the EU, and his latest publication on Ukraine did not identify a new expectation of support from the U.S. government.

Nonetheless, OSF has enlisted Blue Star Strategies to help advocate for increased economic assistance for Ukraine, and they may have new requests, including for more advocacy with our European allies.

**2. (SBU) U.S. Support for Ukraine: Ukraine is a top policy and assistance priority for the United States. We have provided approximately \$569 million in assistance since the crisis began, to help Ukraine respond to the crisis, advance reforms, and strengthen institutions. In addition, President Obama intends to move forward with a third \$1 billion loan guarantee for Ukraine in the coming months.**

- We have also focused on reforms to improve the investment climate and promote growth in Ukraine's economy. It is critical for the Ukrainians to make progress on reforms and fight corruption, and our assistance is helping them implement these reforms.

**(SBU) Background:** The United States targets support to advance key reforms and promote security and stability (see the attached Ukraine assistance overview). The United States provided the Ukrainian government with \$1 billion loan guarantees in May 2014 and May 2015, and Secretary Pritzker announced, during a visit to Ukraine on October 26, that the President, working with Congress, intends to move forward with a third \$1 billion loan guarantee in the coming months. The United States and Ukraine must now negotiate the terms, including the conditions precedent.

**WATCH OUT FOR/IF RAISED**

**1. (SBU) Will the United States provide more macrofinancial assistance to Ukraine?: We are committed to Ukraine's success, and we are watching Ukraine's economic situation very closely. We will continue to consult with Congress as we make further assessments. Any determination of additional external financing needs beyond the loan guarantees we have already provided, or are working to provide, would depend on further IMF review.**

- We agree that Europe should do more to help Ukraine meet its financing needs, though this is a difficult task at the moment given Europe's other challenges. What are the winning arguments, in your view?

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- 3 -

**(SBU) Background:** The United States has not made any macro financial commitments to Ukraine beyond the third \$1 billion loan guarantee. Further macro financial support commitments will require significant interagency and Congressional consultation, and would be contingent on IMF review.

(SBU) In the first half of 2015, Ukraine's economy contracted at a 15 percent annualized rate. Inflation exceeded 47 percent for the period year-on-year. Both the World Bank and the IMF believe the worst is over and anticipate GDP to stabilize in 2016, with potential growth at 1-2 percent thereafter as reforms continue. Fifty-nine banks have failed since the onset of the crisis, and the sector as a whole remains very fragile.

(SBU) So far in 2015, the IMF has disbursed \$6.7 billion of its \$17.5 billion Extended Fund Facility (EFF) for Ukraine. The first tranche of \$5 billion was disbursed on March 13, and a second tranche of \$1.7 billion was disbursed on July 31. Ukraine's next IMF review is scheduled in December 2015. Ukraine has also received over \$5 billion in financing commitments from bilateral donors, including a 1.8 billion Euro loan from the EU and a 500 million Euro loan from Germany.

(SBU) On August 27, Ukraine agreed in principle to a debt restructuring deal with private creditors to write off 20 percent of \$18 billion in debt, establish a four-year grace period for repayment, and restructure the remaining debt to mature over 2019-27 at a slightly higher rate and with a GDP growth-linked upside for creditors. The Rada approved and the creditors accepted the terms. Ukraine's \$3 billion Eurobond to Russia matures in December, and Russia has demanded payment in full, while Ukraine has indicated it intends to treat the Russian Eurobond on the same terms reached with its private creditors.

**PARTICIPANTS**

United States

Under Secretary Novelli

Other Country/Organization

Karen Tramontano, CEO, Blue Star Strategies  
Sally Painter, COO, Blue Star Strategies

Attachments:

- Tab 1 – Biographic Information for Blue Star Strategies
- Tab 2 – Ukraine Assistance Overview

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Approved: EUR FO \_\_\_\_\_

Drafted: EUR/ACE, [REDACTED] ext. 7-6878, cell: [REDACTED]

Cleared:	E – Special Assistant	[REDACTED]	ok
	EUR/FO	[REDACTED]	info
	EUR/EE	[REDACTED]	ok
	EUR/ACE	[REDACTED]	ok
	EUR/ERA	[REDACTED]	ok
	ENR	[REDACTED]	ok
	EB/IFD/OMA	[REDACTED]	ok
	F/EUR	[REDACTED]	ok
	H	[REDACTED]	ok
	Treasury	[REDACTED]	info

## **Tab 1: Biographic Information**

**Karen A. Tramontano** is the Chief Executive Officer at Blue Star Strategies, LLC and provides corporate, institutional and public sector clients with results-oriented strategies. In her previous work experience Ms. Tramontano has played a critical role in shaping some of the most important global policy issues of our time, including China Permanent Normal Trade Relations, environmental and labor standards in multilateral, regional and bilateral trade agreements, world-wide poverty reduction strategies that focus on creating jobs and employing the Decent Work Agenda and global market expansion strategies for U.S. businesses.

From 1997 to 2001, Ms. Tramontano served as Deputy Chief of Staff to President Clinton and as counselor to two Chiefs of Staff, Erskine Bowles and John Podesta. Ms. Tramontano's White House portfolio encompassed a wide range of issues, including international trade and transatlantic relations, as well as economic and financial issues involving the U.S. Treasury and Department of Commerce. She played a major role in shaping policy concerning the World Trade Organization, the Organization for Economic Cooperation and Development and other multilateral institutions, while handling public policy issues involving the World Bank and the International Monetary Fund.

**Sally A. Painter** is Co-Founder and Chief Operating Officer at Blue Star Strategies, LLC. Ms. Painter's work experience includes time spent at both the highest level of the U.S. government and at major corporations in the private sector. Given this diverse background, she provides corporate, institutional and public sector clients with results-oriented external affairs, foreign/security policy and business development strategies. In particular, Ms. Painter has an extensive track record working with Central Europe on security and policy issues, including representing many of these countries on their NATO and EU bids, as well as an historic Visa Equity Coalition of seven countries where legislation was passed in the U.S. Congress which allowed their citizens to enter the US visa-free.

Ms. Painter has also managed large-scale public-private projects, including as senior advisor on the global NATO Summits including: Washington, DC--1999, Prague -- 2002, Istanbul -- 2004 and Riga -- 2006. In this capacity, she worked directly with the leadership of the host country, CEOs of global corporations, the U.S. Congress, NATO Headquarters and the Bush and Clinton White Houses to promote and educate transatlantic leaders on the importance of the NATO Alliance. Ms. Painter is also a member of the Board of the US Committee on NATO.

**Tab 2: U.S. Assistance to Ukraine since February 2014**

As of October 16, 2015

The U.S. government has committed over \$569 million in assistance to Ukraine to respond to the crisis, advance reforms, and strengthen institutions. In addition, the U.S. government provided Ukraine with \$2 billion in loan guarantees.

Loan Guarantees (\$2 billion)

The United States provided the Ukrainian Government with a \$1 billion loan guarantee in May 2014 and followed this with a second \$1 billion loan guarantee in May 2015. The proceeds of these loan guarantees enable Ukraine to stabilize its economy and protect the most vulnerable households from the impact of needed economic adjustment.

Other Crisis-Response Assistance (approximately \$486 million)

Since Ukraine's change in government in February 2014, the United States has targeted additional assistance to advance key reforms and to promote security and stability. This assistance is focused in the following areas:

- **Senior Advisors** (\$5 million): Help Ukrainian ministries implement critical reforms.
- **Security** (approx. \$266 million): Provide training and non-lethal equipment and materiel to the Armed Forces, National Guard, and State Border Guard Service. This includes \$75 million in equipment to the Armed Forces through the European Reassurance Initiative.
- **Humanitarian** (approx. \$84 million): Support international and NGO efforts to meet the basic humanitarian needs of conflict victims and internally displaced persons.
- **Anti-Corruption and Rule of Law** (approx. \$40 million): Fight corruption, recover stolen assets, and advance justice sector and police reforms.
- **National Unity and Monitoring** (approx. \$23 million): Support constitutional reforms, decentralization, peace-building measures, and the OSCE Special Monitoring Mission.
- **Trade and Energy** (approx. \$17 million): Help diversify trade and enhance energy security.
- **Economic Stabilization, Reform, and Growth** (approx. \$16 million): Stabilize the economy, implement economic reforms, and build a foundation for sustainable growth.
- **Catalyze Early Recovery** (approx. \$19 million): Assist with economic recovery, small infrastructure repair, civilian counseling and rehabilitation in conflict affected areas in the east.
- **Democracy and Human Rights** (approx. \$12 million): Support democratic elections, independent media, access to information, and civil society support for human rights.
- **Other** (approx. \$3 million): Support for polio vaccinations, monitoring and evaluations of programs, and grants to support reform in a variety of sectors.

Previously Planned Assistance (nearly \$83 million)

U.S. crisis-response assistance complements long-term U.S. programs that support systemic reforms and build institutional capacity across a range of sectors, and help remediate the Chernobyl nuclear facility to a safe and secure condition.

**From:** E Duty Secretary  
**Sent:** Thu, 29 Oct 2015 15:11:22 -0400  
**To:** [REDACTED]; Duncan, John D; Dodman, Michael J; [REDACTED]  
**Subject:** RE: Update - RE: Paper status for U/S Novelli - Friday, October 30, 2015

Thanks [REDACTED]!

---

**From:** [REDACTED]  
**Sent:** Thursday, October 29, 2015 3:11 PM  
**To:** E Duty Secretary; Duncan, John D; Dodman, Michael J; [REDACTED]  
**Subject:** Update - RE: Paper status for U/S Novelli - Friday, October 30, 2015

To All,

I have all papers except for the 11am. [REDACTED] will be provide later today (please make sure the paper is uploaded to the iPad). **All items are printed w/ Tabs.**

Per conversation with [REDACTED] - she will e-mail Cathy's Friday schedule tonight.

Thank you for your assistance!

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Thursday, October 29, 2015 12:16 PM  
**To:** E  
**Subject:** Paper status for U/S Novelli - Friday, October 30, 2015  
**Importance:** High

**\*\*\*I will be departing at 3pm. \*\*\***

--Please *see* Cathy's  
October 30<sup>th</sup> schedule  
below. **\*\*Note: Schedule  
may change. 😊\*\***  
--Note look ahead for  
**Monday, November 2<sup>nd</sup>**

**Thank you!**

## Catherine Novelli's Schedule Friday, October 30<sup>th</sup>

- 10:30 AM 2015 TechWomen Program Location:  
Dean Acheson Auditorium  
**Paper received**
- 11:00 AM Car reserved
- 11:45 AM **Trade Cabinet Principals Meeting**  
**White House Situation Room**
- 12:30 PM Car reserved
- 1:30 PM Lunch
- 2:00 PM **Amb. Nominee to Mozambique Dean**  
**Pittman**  
**Room 7256**
- 3:00 PM Blue Star Strategies- Karen  
Tramontano and Sally Painter  
Room 7256  
**Paper received**
- 4:00 PM Meeting with STAS Vaughan Turekian  
Room 7256
- 4:30 PM Weekly Meeting Amos Hochstein  
Room 7256
- 5:45 PM STAFF TIME

## U/S Catherine Novelli's Monday, November

- 8:30 AM – 9:05 AM E Family Assistant  
Meeting Room 7256  
**Agenda received**
- 9:15 AM – 9:45 AM (S) Senior Staff Meeting  
PCR - Room 7516
- 10:00 AM – 10:15 AM Call with Jennifer
- 12:30 PM – 2:00 PM **TENT** - Lunch with  
701 Penn Ave.
- 3:00 PM – 3:45 PM Bi-Weekly Meeting  
Room 7256
- **4:00 PM – 4:30 PM** **Bruce Stokes (Pev)**  
**7256**
- 5:00 PM – 5:45 PM STAFF TIME

██████████ ☺ | Office of the Under Secretary for Economic Growth, Energy, and the Environment|  
Department of State| Washington, DC 20520| Room 7256| 202/647-8854| ██████████

**From:**Sally Painter  
**Sent:**Fri, 6 Nov 2015 16:36:52 +0000  
**To:**Novelli, Catherine A  
**Cc:**Karen Tramontano  
**Subject:**Thank you

Dear Cathy,

Thank you again for taking the time to meet with me – and Karen by phone -- on Ukraine. Your insights and guidance were very helpful and much appreciated.

We are following-up with our team in Ukraine to better ascertain their views on funding, among other issues. Will keep you posted as this develops.

with warmest personal regards,

sally

Sally Painter  
Co-Founder and COO  
Blue Star Strategies

(+1) 202-833-1268 direct  
(+1) 202-822-9088 fax  
[sally.painter@bluestarstrategies.com](mailto:sally.painter@bluestarstrategies.com)

888 17th Street NW, Suite 800  
Washington, DC 20006

[www.bluestarstrategies.com](http://www.bluestarstrategies.com)

**The information in this transmittal is privileged and confidential and is intended only for the recipient(s) listed above. If you are not the intended recipient(s) for the delivery of this transmittal, you are hereby notified that any unauthorized distribution or copying of this transmittal is prohibited. If you have received this transmittal in error, please notify me at (+1) 202-833-1281**

**From:** [REDACTED]  
**Sent:** Thu, 18 Feb 2016 11:58:56 -0500  
**To:** [REDACTED]  
**Cc:** Duncan, John D; Dodman, Michael J; [REDACTED]  
**Subject:** RE: Need your advice

Thanks! U/S Novelli is going to meet with them next Monday, 2pm. We're trying to find out more information directly from Blue Star Strategies – but wanted to check in to see if you all knew anything about it in the meantime. Would be great if you could sit in on the meeting if you are available.

Best regards,

[REDACTED]  
Office of the Under Secretary for Economic Growth, Energy, and the Environment  
Office: 202-647-4092  
[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Thursday, February 18, 2016 11:57 AM  
**To:** [REDACTED] Montgomery, Molly C  
**Cc:** Duncan, John D; Dodman, Michael J; [REDACTED]  
**Subject:** RE: Need your advice

[REDACTED]:

I am trying to figure out what this is about, but don't have a clear idea what they are referring to. We'd be happy to meet with them (or you) if that would be helpful. Let us know.

Thanks, [REDACTED]

SBU  
This email is UNCLASSIFIED.

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**From:** [REDACTED]  
**Sent:** Thursday, February 18, 2016 11:47 AM  
**To:** [REDACTED]; [REDACTED]; [REDACTED]  
**Cc:** Duncan, John D; Dodman, Michael J; [REDACTED]  
**Subject:** RE: Need your advice

Hi [REDACTED]  
No, but am looping in Ukraine desk colleagues, who may be familiar?  
Best.

SBU

This email is UNCLASSIFIED.

---

**From:** [REDACTED]  
**Sent:** Thursday, February 18, 2016 11:34 AM  
**To:** [REDACTED]  
**Cc:** Duncan, John D; Dodman, Michael J; [REDACTED]  
**Subject:** RE: Need your advice

[REDACTED]

Do you know anything about this issue?

Best,

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Thursday, February 18, 2016 8:30 AM  
**To:** Dodman, Michael J; [REDACTED]  
**Cc:** Duncan, John D  
**Subject:** RE: Need your advice

This originally came in as a call back request to me, it looked like an investment dispute, so I sent it to OIA. The original caller was a gentleman named Pero.

Per [REDACTED] Karen told him the same thing as written below, and then declined to say more, expressing a desire to brief Cathy personally. As Ukraine is known for colorful biznizmen, I can imagine some of the possible allegations. I'll ask [REDACTED] to inquire about the individual's name, so we can try and get some background prior to the meeting.

[REDACTED]

[REDACTED]  
Special Assistant  
Office of the Under Secretary for Economic Growth, Energy, and the Environment  
U.S. Department of State | Room 7256  
202-647-7448 | [REDACTED]

---

**From:** Dodman, Michael J  
**Sent:** Thursday, February 18, 2016 7:57 AM  
**To:** [REDACTED]  
**Cc:** Duncan, John D  
**Subject:** FW: Need your advice

█  
Please check with OIA and see what this is about.

---

**From:** Novelli, Catherine A  
**Sent:** Thursday, February 18, 2016 07:48  
**To:** Karen Tramontano  
**Cc:** Dodman, Michael J; █  
**Subject:** Re: Need your advice

Hi Karen,

Happy to meet with you. Copying █ who can make it happen on my schedule

Best,  
Cathy

Sent from my iPhone

On Feb 18, 2016, at 7:42 AM, Karen Tramontano <[Karen.Tramontano@bluestarstrategies.com](mailto:Karen.Tramontano@bluestarstrategies.com)> wrote:

<image001.gif>

Dear Undersecretary Novelli:

I have requested a meeting to discuss a matter on which I need your advice. I spoke to █ in your office yesterday to explain my reason for asking for a meeting. Essentially, the U.S. government has taken a position in a commercial matter regarding a Ukrainian individual and I believe the position is in error. I would like to give you a briefing and ask your advice in this matter. We are reaching out to your office and hopefully we could arrange a meeting in the upcoming week. Thank you in advance for your time.

Best regards  
Karen

Karen A. Tramontano  
Blue Star Strategies

<image002.png>

(+1) 202-833-1265 direct  
(+1) █  
(+1) 202-822-9088 fax

[karen.tramontano@bluestarstrategies.com](mailto:karen.tramontano@bluestarstrategies.com)

888 17th Street NW, Suite 800  
Washington, DC 20006

[www.bluestarstrategies.com](http://www.bluestarstrategies.com)

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**From:** [REDACTED]  
**Sent:** Wed, 17 Feb 2016 16:54:24 -0500  
**To:** [REDACTED]  
**Subject:** RE: Follow up

[REDACTED] Ms. Karen Tramontano joined the call. She said that she knows CN from both her time in government and industry, and she requests a meeting (30 minutes of CN's time) to ask for her personal thoughts on a client matter. I have just a bit more facts, and could relay to you via phone.

(To clarify, this is personal to her knowing CN and is not / not a request to talk with subject matter experts.)

Thanks,

[REDACTED]

This email is UNCLASSIFIED.

---

**From:** [REDACTED]  
**Sent:** Thursday, February 11, 2016 5:16 PM  
**To:** [REDACTED]  
**Subject:** RE: Follow up

Sorry, all I know is that he works for someone Cathy knows, but the background is completely unknown. But it sounded like a likely OIA issue to me. Figured as the SMEs OIA was a better place to start.

Cheers-

[REDACTED]  
Special Assistant  
Office of the Under Secretary for Economic Growth, Energy, and the Environment  
U.S. Department of State | Room 7256  
202-647-7448 | [REDACTED]

---

**From:** [REDACTED]  
**Sent:** Thursday, February 11, 2016 4:52 PM  
**To:** [REDACTED]  
**Subject:** RE: Follow up

[REDACTED] Just one initial question, do we know who this person is, or is it a cold call with no background on the incoming? Thanks, [REDACTED]

This email is UNCLASSIFIED.

---

**From:** [REDACTED]  
**Sent:** Thursday, February 11, 2016 2:17 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Follow up

Hi [REDACTED],

Would you be kind enough to reach out to this guy and follow up with his request. You can also call him to get more details of the issues, if needed.

[REDACTED] suggested that I contact you since this would be more in your area of expertise.

Thanks,  
[REDACTED]

---

**From:** Pero Jolevski [<mailto:Pero.Jolevski@bluestarstrategies.com>]  
**Sent:** Wednesday, February 10, 2016 10:16 AM  
**To:** [REDACTED]  
**Subject:** Follow up

Dear [REDACTED]

To follow up on our conversation, I was wondering if the office of the Undersecretary Novelli coordinates with the Justice Department. We would like to brief her on a case that involves a US investors in an international company (not a US company) on which we will file a case with the Justice Department.

Thank you  
Pero

Pero Jolevski  
Blue Star Strategies

(+1)-202-833-1281  
(+1)-202-822-9088 fax

[pero.jolevski@bluestarstrategies.com](mailto:pero.jolevski@bluestarstrategies.com)

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Washington, DC 20006

[www.bluestarstrategies.com](http://www.bluestarstrategies.com)

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**From:** [redacted]  
**Sent:** Mon, 29 Feb 2016 12:43:18 -0500  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** RE: Burisma

RELEASE IN  
PART B6

CLEARED  
WITH EUR

B6  
B6  
B6

Appreciate it. U/S Novelli's meeting is tomorrow afternoon – so would be great to get something today if at all possible.

**From:** [redacted]  
**Sent:** Friday, February 26, 2016 5:58 PM  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** RE: Burisma

B6  
B6  
B6

Not yet. I will ask again. [redacted]

Declassified  
by Donald K.  
Holm, Senior  
Reviewer,  
October 9,  
2019

B6

Sensitive  
This email is UNCLASSIFIED.

**From:** [redacted]  
**Sent:** Friday, February 26, 2016 3:07 PM  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** RE: Burisma

B6  
B6  
B6

Patrick,

Checking in with you as to whether you have anything back from Post on this.

Thanks!

Best,

[redacted]

B6

**From:** [redacted]  
**Sent:** Wednesday, February 24, 2016 5:18 PM  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** RE: Burisma

B6  
B6  
B6

[redacted] We will send it to Post overnight. My goal is to have an answer for you by Friday morning our time. In the meantime, please let me know if you have any questions or need further information.

B6

Cheers, [redacted]

B6

Sensitive  
This email is UNCLASSIFIED.

**From:** [redacted]  
**Sent:** Wednesday, February 24, 2016 5:09 PM  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** RE: Burisma

B6

B6

B6

Appreciate it – just to flag, the meeting is on Tuesday, March 1 at 4pm.

**From:** [redacted]  
**Sent:** Wednesday, February 24, 2016 5:07 PM  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** RE: Burisma

B6

B6

B6

Thanks [redacted] Give me a day or say and we'll check with Post. Cheers, [redacted]

B6

Sensitive  
This email is UNCLASSIFIED.

**From:** [redacted]  
**Sent:** Wednesday, February 24, 2016 5:03 PM  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** Burisma

B6

B6

B6

~~(C)~~ Per our conversation, Karen Tramontano of Blue Star Strategies requested a meeting to discuss with U/S Novelli USG remarks alleging Burisma (Ukrainian energy company) of corruption. She noted that two high profile U.S. citizens are affiliated with the company (including Hunter Biden as a board member). Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that the company is corrupt. According to Tramontano, there is no evidence of corruption, has been no hearing or process, and evidence to the contrary has not been considered. Would appreciate any background you may be able to provide on this issue and suggested TPs for U/S Novelli's meeting.

Thanks!

Best regards,

[Redacted]

Special Assistant

Office of the Under Secretary for Economic Growth, Energy, and the Environment

Office: 202-647-4092

Cell: [Redacted]

Email: [Redacted]

B6

B6

B6

**From:** [REDACTED]  
**Sent:** Mon, 29 Feb 2016 12:39:21 -0500  
**To:** [REDACTED] Bhardwaj, Manu; Dodman, Michael J; [REDACTED]; Duncan, John D; [REDACTED]  
[REDACTED]; Haverkamp, Jennifer A; [REDACTED]  
**Subject:** Paper Status for U/S Novelli: Tuesday - March 1, 2016

**\*\*\*\* I will be departing today at  
3:15pm \*\*\*\***

--Please *see* Cathy's **March 1, 2016**  
schedule below. **\*\*Note: Schedule may  
change. 😊\*\***

--Please note look ahead for  
**Wednesday, March 2<sup>nd</sup>.**

*Thank you*

## Catherine Novelli's Schedule Tuesday, March 1

- 10:30 AM ACE Awards Ceremony  
Ben Franklin room on the 8th floor  
**Papers received**
- 9:45 AM (S) Deputies Senior Staff Meeting  
D Conference Room
- 12:00 PM E-Regional DAS Meeting  
Room 7356  
**Agenda received**
- 1:30 PM Lunch
- 2:30 PM **Hold for EU Commissioner for  
Transport - Bulc  
Room 7256**
- 3:30 PM **Hold for call with Kent Walker at  
Google**
- 4:30 PM **Karen Tramontano & John Buretta  
Blue Star Strategies  
Room 7256**
- 5:45 PM STAFF TIME

## U/S Catherine Novelli's Wednesday, March 2

- **9:15 AM – 10:15 AM** **Brett Jenks, Pres  
Brett Jenks  
Room 7256**
- **10:30 AM – 12:30 PM** **D3 Innovation F  
Competition  
Dean Acheson A**
- 12:30 PM – 2:00 PM E Staff Meeting  
Room 7256
- 2:30 PM – 4:45 PM Voices for the W  
Action  
Dean Acheson A  
**Agenda?**
- 5:00 PM – 6:00 PM Voices for the W  
Action  
Benjamin Frankl  
**Agenda?**
- 6:15 PM – 6:45 PM Screening on C S
- **8:30 PM – 9:00 PM** **Media call on W  
Cathy will call fr  
be provided**

██████████ - ☺ | Office of the Under Secretary for Economic Growth, Energy, and the Environment|  
Department of State | Washington, DC 20520 | Room 7256 | 202/647-8854 | ██████████

**From:** [REDACTED]  
**Sent:** Wed, 28 Sep 2016 13:31:38 -0400  
**To:** [REDACTED] Bhardwaj, Manu; Dodman, Michael J; Duncan, John D; [REDACTED]  
[REDACTED] Haverkamp, Jennifer [REDACTED]  
**Subject:** Paper Status for U/S Novelli: Thursday - September 29

--Please *see below* Cathy's **September 29<sup>th</sup>** schedule.

**\*\*Note: Schedule may change. 😊\*\***

--Please note look ahead for **Friday - September 30<sup>th</sup>**

## SCHEDULE FOR SECRETARY CATHERINE A. NOVELLI Thursday - September 29, 2016

8:30 AM – 9:45 AM (S) Deputies Senior Staff Meeting  
D Conference Room

9:45 AM – 10:45 AM Sir Michael Rake ,Chairman of BT  
Group  
Room 7256  
**Paper received**

10:45 AM – 11:30 AM Hold for John Habjan  
Room 7256

11:30 AM – 1:00 PM Lunch

1:00 PM – 1:30 PM Prep for Digital Life in Americas Event  
Room 7256  
**Agenda?**

1:30 PM – 2:00 PM **Ambassador Rena Bitter**  
**(New Amb to Laos)**  
**room 7256**

2:00 PM – 2:30 PM **Meeting with Karen Tramontano,**  
**Blue Star Strategies and Sharon**  
**Waxman- President & CEO of Fair**  
**Labor Association**  
**Room 7256**

2:30 PM – 3:30 PM Update on Ross Sea discussion with  
Titushkin  
Room 7256

3:30 PM – 4:00 PM Ocean Follow up meeting  
Room 7256

## SCHEDULE FOR UNDER SECRETARY CATHERINE A. Friday - September 30, 2016

8:30 AM – 9:00 AM Hold for Car

9:15 AM – 10:00 AM **Digital Life in the Americas**  
**(9:15am Start)**  
**Carnegie Endowment**  
**International Peace**  
**Massachusetts Avenue**  
**Washington, DC 20004**

10:30 AM – 11:00 AM Hold for Car

11:00 AM – 12:00 PM E-Staff Meeting  
Room 7256

12:00 PM – 1:00 PM Lunch

1:00 PM – 1:30 PM Shots for Africa Trip  
HST- Room B846

1:30 PM – 2:00 PM **Meeting with Ray M**  
**Moody's**  
**Room 7256**

2:00 PM – 3:00 PM **Principals Meeting t**  
**WHSR - JFK**

3:00 PM – 3:30 PM Remarks for Ambassador  
Clune's Retirement  
5th Floor reception  
**Remarks received**

4:00 PM – 4:45 PM STAFF TIME

PM – 4:30 PM

*Call with Ambassador Susan Levine*

*+1-877-336-1829/ ACCESS CODE:*

*4724852*

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Department of State | Washington, DC 20520 | Room 7256 | 202/647-8854 | ██████████

**From:** [REDACTED]  
**Sent:** Wed, 12 Oct 2016 13:16:05 -0400  
**To:** [REDACTED] Bhardwaj, Manu; Dodman, Michael J; Duncan, John D [REDACTED]  
[REDACTED] Haverkamp, Jennifer A [REDACTED]  
Y  
**Subject:** Paper Status for U/S Novelli : Thursday - October 13, 2016

--Please see below Cathy's **October 13<sup>th</sup>** schedule.  
--Please note look ahead for **Friday - October 14<sup>th</sup>**.

***\*\*Note: Schedule may change. 😊\*\* Thank you!***

**SCHEDULE FOR  
SECRETARY CATHERINE A. NOVELLI  
Thursday - October 13, 2016**

8:00 AM - 9:30 AM *Hold* for possible call with  
Pakistan Minister  
**Paper received**

9:00 AM – 9:45 AM *Hold* for USTR TPP Interagency  
Meeting  
at USTR

9:15 AM – 9:45 AM (S) Deputies Senior Staff  
Meeting  
D Conference Room

10:00 AM – 10:00 AM Hold for Car

10:00 AM – 11:00 AM Karen Tramontano ( Blue Star  
Strategies)  
888 17th St NW Suite 800

11:00 AM – 11:30 AM Hold for Car

11:55 AM – 1:30 PM Lunch with Kathy Hadda

12:30 PM – 2:00 PM Marybeth Turner  
Room 7256

2:00 PM – 3:00 PM **TechWomen Emerging Leaders  
and Mentors**  
**Loy Henderson Auditorium**

3:30 PM – 4:15 PM Ed Wytkind, AFL-CIO President,  
and Larry Willis, AFL-CIO  
Secretary-Treasurer  
Room 7256  
**Paper received**

4:15 PM – 4:45 PM **Call w/ New Zealand Deputy**

**SCHEDULE FOR  
UNDER SECRETARY CATHERINE A. NOVELLI  
Friday - October 14, 2016**

8:30 AM – 9:00 AM Hold for Car

9:00 AM – 10:00 AM **NAM's Trade Forum**  
**733 10th NW**

10:00 AM – 10:30 AM Hold for Car

11:00 AM – 11:45 AM Meeting with Christi  
Sepulveda  
Room 7256

12:00 PM – 1:30 PM E-Staff Meeting  
Room 7256

1:30 PM – 2:30 PM **Meeting with AfD**  
**Room 7256**

3:00 PM – 3:30 PM **The Aluminum Assn**  
**Room 7256**

5:00 PM – 5:45 PM STAFF TIME

**Secretary Lucy Duncan**

**Room 7256**

00 PM – 5:30 PM Mandatory Email Interface  
Training

30 PM – 5:45 PM STAFF TIME

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Department of State | Washington, DC 20520 | Room 7256 | 202/647-8854 | ██████████

**From:**Novelli, Catherine A  
**Sent:**Mon, 24 Oct 2016 14:34:14 -0400  
**To:**[REDACTED]  
**Cc:**[REDACTED];Duncan, John D  
**Subject:**FW: Cambodia  
**Attachments:**Cambodia Description.pdf, ATT00001.txt

FYI -- We could use this as a jumping off point for Pakistan labor, perhaps.

Cathy

-----Original Message-----

**From:** Karen Tramontano [<mailto:Karen.Tramontano@bluestarstrategies.com>]  
**Sent:** Friday, October 21, 2016 5:47 PM  
**To:** Novelli, Catherine A  
**Subject:** Cambodia

Based on our discussion about Ukraine attached is a 2-pager outlining the work we did in Cambodia This model may be helpful to Pakistan all the best karen



## Cambodia

*local solutions for a global economy*

Our Work

### Growth Strategy in an Era of Free Trade



For poor nations highly dependent on textile and garment exports, the 2005 expiration of the textile quota system (the Multi-Fiber Agreement or MFA) had the potential to be devastating to their national economies. Nowhere is this fear more genuine than in Cambodia, whose economy is more dependent on textiles and garment manufacturing than any other in the world. However, unlike most textile producing countries, Cambodia has a unique advantage in the post-quota environment; a labor rights verification system administered by the International Labor Organization that provides rights protection to Cambodians and brand security to buyers.

#### The Challenge

**Can Cambodia's success story be sustained as its preferential access to lucrative markets is eliminated?**

Can its approach to promoting business and labor interests be reproduced in other countries?

With support from the World Bank Group and the US-ASEAN Business Council, in 2004 GFI designed and implemented an engagement process to explore ways to use this uniquely just, innovative advantage to protect and expand Cambodia's textile exports. Joined by the European Commission, Australia AID, and

the United Nations Development Program, in February 2005 we organized a 2-day conference of leading CEOs, government officials, and other trade and development experts to discuss Cambodia's unique opportunities in the global marketplace. Hosted by the Royal Government of Cambodia, the conference highlighted Cambodia's leadership potential in defining new best practices in global trade and investment, and the many reforms aimed at making Cambodia a premier destination for business.

#### How GFI Addressed the Challenge

In July 2005, GFI collaborated with the Carnegie Endowment for International Peace and Oxfam America to bring the discussion to American policymakers. More than 200 experts from government, industry, and civil society joined us for a wide-ranging discussion of the fate of textile workers and industries in the 21st century.

2122 P St. NW, Suite 302  
Washington, DC 20037  
Tel. 202-898-9022  
info@globalfairness.org  
www.globalfairness.org

In 2006, GFI began to extend its work on textiles to other regions of the world, focusing first on the countries participating in the US-Central America Free Trade Agreement. Our efforts to make the global economy work for poor producers is helping bridge the gap between Central American industry, labor, and government, thereby increasing the prospects of better lives for workers and healthier profits for industry (see our hand-out on the Central America Work Program).

In 2006, GFI began to extend its work on textiles to other regions of the world, focusing first on the countries participating in the US-Central America Free Trade Agreement. Our efforts to make the global economy work for poor producers is helping bridge the gap between Central American industry, labor, and government, thereby increasing the prospects of better lives for workers and healthier profits for industry (see our hand-out on the Central America Work Program)



---

To learn more about this project please contact  
Caleb Shreve [caleb@globalfairness.org](mailto:caleb@globalfairness.org)

Sent from my iPhone

**From:**Nuland, Victoria J  
**Sent:**Wed, 30 Mar 2016 16:28:04 -0400  
**To:**Pyatt, Geoffrey R [REDACTED]  
**Subject:**RE: UA lobbyist

And they can't spell the President's name

---

**From:** Pyatt, Geoffrey R  
**Sent:** Wednesday, March 30, 2016 12:18 AM  
**To:** Nuland, Victoria J; [REDACTED]  
**Subject:** UA lobbyist

So I see below Ukraine hired a new lobbyist – same firm that saw Kathy Novelli complaining about my pressure on the PGO's cover-up of the case against the disgraced Yanukovich era environment minister....

From: Karen Tramontano [<http://redirect.state.sbu/?url=mailto:Karen.Tramontano@bluestarstrategies.com>]  
Sent: Monday, March 28, 2016 11:21 AM  
To: McDonough, Denis R. EOP/WHO <[REDACTED]>  
Subject: Possible meeting

Dear Dennis,

I know you are extraordinarily busy – so I hesitate to even write. I am assisting the Office of the President (Ukraine) with his upcoming visit to the US. His Chief of Staff, Boris Lozhkin has asked whether it would be possible to meet you. While Lozhkin will be with President Porachenko throughout the visit, he will not be attending the dinner President Obama is hosting on 3/31 and wondered whether it would be possible to meet you during that time or if there is another time that would be more convenient for you ?Currently, Lozhkin arrives with the President on 3/30 and leaves with him on 4/1. Thank you Dennis for your consideration. I do hope you are doing well.

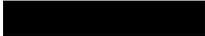
My best regards

Karen

Karen A. Tramontano

Blue Star Strategies

(+1) 202-833-1265 direct

 mobile

(+1) 202-822-9088 fax

[karen.tramontano@bluestarstrategies.com](mailto:karen.tramontano@bluestarstrategies.com)

<<http://redirect.state.sbu/?url=mailto:patrick.boland@bluestarstrategies.com>>

888 17th Street NW, Suite 800

Washington, DC 20006

>[www.bluestarstrategies.com](http://www.bluestarstrategies.com)<

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SBU

This email is UNCLASSIFIED.

**From:**Karen Tramontano  
**Sent:**Mon, 24 Oct 2016 19:14:19 +0000  
**To:**Novelli, Catherine A  
**Subject:**RE: Cambodia

Should have said based on our discussions about Pakistan ....sorry about that ... too many balls in the air.

-----Original Message-----

From: Novelli, Catherine A [REDACTED]  
Sent: Monday, October 24, 2016 2:34 PM  
To: Karen Tramontano <Karen.Tramontano@bluestarstrategies.com>  
Subject: RE: Cambodia

Thanks a million, Karen. This is very helpful.

Cathy

-----Original Message-----

From: Karen Tramontano [<mailto:Karen.Tramontano@bluestarstrategies.com>]  
Sent: Friday, October 21, 2016 5:47 PM  
To: Novelli, Catherine A  
Subject: Cambodia

Based on our discussion about Ukraine attached is a 2-pager outlining the work we did in Cambodia This model may be helpful to Pakistan all the best karen

**From:** Karen Tramontano Karen.Tramontano@bluestarstrategies.com  
**Subject:** Re: Updated Bio  
**Date:** November 7, 2016 at 4:58 PM  
**To:** C Novelli cnovelli@mac.com

---



in Iowa !

Sent from my iPhone

On Nov 7, 2016, at 3:51 PM, C Novelli <[cnovelli@mac.com](mailto:cnovelli@mac.com)> wrote:

Hi Karen,

Just forwarding you an updated bio in case it is useful. My fingers are crossed for tomorrow! Thanks a million for all of your help and insight.

Best,  
Cathy

Sent from my iPad

  
<Cathy's bio (personal).docx>

**From:** Karen Tramontano Karen.Tramontano@bluestarstrategies.com  
**Subject:** Re: Looking forward to Lunch  
**Date:** December 2, 2019 at 8:06 AM  
**To:** Catherine Novelli cnovelli@mac.com

---



Ditto

Sent from my iPhone

On Dec 2, 2019, at 7:58 AM, Catherine Novelli <[cnovelli@mac.com](mailto:cnovelli@mac.com)> wrote:

See you soon at Equinox.

Best,  
Cathy

Sent from my iPad

**From:** Catherine Novelli cnovelli@mac.com  
**Subject:** Re: Great to see you !  
**Date:** December 3, 2019 at 11:38 AM  
**To:** Karen Tramontano Karen.Tramontano@bluestarstrategies.com



Dear Karen,

Wonderful to see you yesterday! Thanks for the article. I'm looking forward to reading it and discussing. I am very interested in potentially doing some joint work. Like you, I just want to work with people I like.

Thanks too for the potential introduction to the think tanks. I want to give it some thought before I approach any organization/s and do my due diligence to see where the best fit would be.

My Georgetown class ends tomorrow so I should have some time to research after that.

Merry Christmas! Looking forward to staying in touch and finding opportunities to collaborate.

Best,  
Cathy

Sent from my iPhone

On Dec 3, 2019, at 10:20 AM, Karen Tramontano <[Karen.Tramontano@bluestarstrategies.com](mailto:Karen.Tramontano@bluestarstrategies.com)> wrote:

Dear Cathy:

It was great to see you! Thank you again for reaching out – I cannot express how much it meant to me. I'm including the link to the Atlantic Council issues. AC received a \$30million grant from Rockefeller for "resilient cities". I remembered it wrong – its focus is on climate change and security – but there may be a fit with your work in that "issue" block or in the business and economy issue block. I used to be on AC's Board – Sally is now on the Board – so we have fairly good access at least for an introduction. We also were with CSIS, German Marshall Fund and a little with Brookings and Carnegie. We did more with Brookings when Strobe was Chair – I don't know the new leadership as well. Please let me know after you've given it some thought whether introductions would be helpful.

Below is a link to my trade article – the 3<sup>rd</sup> section may be of most interest although the 2<sup>nd</sup> section on development may also be relevant.

Finally – the link to my "quote" in the WSJ article which followed the first smaller article.

Thanks again ...have a wonderful Christmas holiday. Let's talk again soon – especially as you are thinking through your next steps. We will also be on the "look out" for some joint "pitches" where we could have an opportunity to work together. If you have any ideas – please let me know.

All the very best  
Karen

<https://www.atlanticcouncil.org/issues/>

Trade Article: <https://pellcenter.org/tearing-up-trade-agreements-wont-help-workers-a-more-responsible-approach-just-may/>

WSJ Article: <https://www.wsj.com/articles/ukraine-companys-campaign-to-burnish-its-image-stretched-beyond-hunter-biden-11573154199>

- *“Ms. Tramontano said she has known and worked with Ms. Novelli for years, and didn’t mention Mr. Biden’s name in order to secure the meeting.”*

## Unified Novelli Transcript Errata

- HSGAC Majority

Page	Line	Correction
16	6	It should read “bureaus” rather than “Burisma”
35	20	The word "you" should be added between "would" and "raise"
81	20	It should read "fun" rather than "fund"
94	11	It should read "he did" rather than "I did"
134	17	"pion" is not a word, outside of highly technical branches of quantum physics. Could it be "pin"?
155	21	It should read "it" not "hit"

- Finance Majority

Page	Line	Correction
29	11	add “s” to “topic”
32	8	Strike the second “with” before “Burisma” and insert “to” such that it reads “the State Department’s position with respect to Burisma”
41	15	Strike “s” in “questions”
80	4	Strike “She” replace with “You”.
80	9	add “Award” between “Cobb” and “selection”.
81	20	strike the “d” in “fund”. Should read “fun”.
155	10	Strike “applied” and replace with “replied”
155	13-14	Strike all commas such that it reads “So I see below Ukraine hired a new lobbyist – same firm that saw Kathy Novelli complaining about my pressure on the PGO’s cover-up of the case against the disgraced Yanukovich era environment minister....”
161	9	Strike “it’s” and replace with “I’m”

- HSGAC Minority
  - Pending
- Finance Minority
  - NA
- Counsel
  - NA

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UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

- - - - - x

INTERVIEW OF: :

VICTORIA NULAND :

:

- - - - - x

Room SD-342 and via Webex  
Dirksen Senate Office Building  
Washington, D.C.  
Thursday, September 3, 2020  
9:31 a.m.

INTERVIEW OF VICTORIA NULAND

1 APPEARANCES

2

3 For the Witness:

4 BLAKE ROBERTS, ESQUIRE

5 SHEILA MENZ, ESQUIRE

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11 For Senator Johnson:

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13 SCOTT WITTMANN, Senior Professional Staff Member, HSGAC

14 BRIAN DOWNEY, Senior Investigator, HSGAC

15 LYDIA WESTLAKE, Senior Advisor, HSGAC

16 SARAH SMERLING, Professional Staff Member, HSGAC

17 WILLIAM SACRIPANTI, Research Assistant, HSGAC

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19 For Senator Grassley:

20 JOSHUA FLYNN-BROWN, Deputy Chief Investigative Counsel,

21 Finance Committee

22

23

24

25

1 APPEARANCES: (Continued)

2

3 For Senator Peters:

4 ZACHARY SCHRAM, Minority Chief Counsel, HSGAC

5 ROY AWABDEH, Minority Senior Counsel, HSGAC

6 SOUMYALATHA DAYANANDA, Minority Senior Investigative

7 Counsel, HSGAC

8 VALERIE SHEN, Investigative Counsel, HSGAC

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10 For Senator Wyden:

11 DAVID BERICK, Minority Chief Investigator, Finance

12 Committee

13 DAN GOSHORN, Minority Senior Counsel, Finance Committee

14 JOSH HEATH, Minority Investigator, Finance Committee

15 MICHAEL OSBORN-GROSSO, Minority Investigator, Finance

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17 For the Department of State:

18 WILLIAM K. KILLION

19 Bureau of Legislative Affairs

20

21 KENNETH A. THOMAS

22 Office of the Legal Advisor

23

24

25

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1 P R O C E E D I N G S

2 MR. FOLIO: Good morning, everyone. This is a  
3 transcribed interview of Ambassador Victoria Nuland  
4 conducted by the Senate Committee on Homeland Security and  
5 Governmental Affairs and the Senate Committee on Finance.

6 This interview was requested by Chairman Ron Johnson  
7 and Chairman Charles Grassley as part of the committees'  
8 investigation of whether there were any actual or apparent  
9 conflicts of interest or any wrongdoing with regard to the  
10 Obama administration Ukraine policy or Burisma Holdings as  
11 well as related matters.

12 On December 16th, Chairmen Grassley Johnson requested  
13 Ambassador Nuland's appearance for a voluntary transcribed  
14 interview and certain categories of documents.

15 In response, Ambassador Nuland notified the committees  
16 that she was not in possession of any responsive records  
17 that we requested.

18 Ambassador Nuland, can you please state your full name  
19 for the record.

20 MS. NULAND: Victoria Nuland.

21 MR. ROBERTS: Joe, this is Blake Roberts representing  
22 Ambassador Nuland.

23 Before we get under way, I just wanted to make a record  
24 that on August 31st, shortly after we had been retained,  
25 when we learned that you all had outstanding document

1 requests to the State Department and that Ambassador Nuland  
2 had not been afforded an opportunity to review all of the  
3 relevant materials from her service, we suggested delaying  
4 her voluntary transcribed interview until your committees  
5 had collected all the documents you had requested from the  
6 State Department in order to afford you the opportunity to  
7 question her about all the documents that you considered  
8 relevant to your inquiry and to give her the opportunity to  
9 offer testimony informed by a full review of the relevant  
10 materials.

11       You have declined that suggestion and informed us that  
12 you believed you had enough documents to proceed and wanted  
13 to move forward, and that's why we're here today cooperating  
14 with the inquiry.

15       MR. FOLIO: Thanks, Blake. Yes, that's correct because  
16 I think we had exchanged emails and spoken on the phone  
17 about--the chairmen's requests originated in November 2019.  
18 We received productions that at this point we believe put us  
19 in a position where we'd like to speak with Ms. Nuland about  
20 what we've learned so far but appreciate your concern.

21       No productions are ever perfect. So you never know  
22 what's coming down the pike and especially when it's going  
23 to come down the pike, especially from agencies. So we have  
24 to make that decision, and that's where we are.

25       I think we're all operating in good faith here. So I

1 think if anything were to change later in further testimony,  
2 obviously we would to provide folks with the opportunity to  
3 address that.

4 But, again, our assessment sitting here today, this  
5 would be the appropriate time for us to move forward  
6 speaking with Ambassador Nuland.

7 MR. ROBERTS: Thank you, Joe.

8 Joe, can you pause just for a second? We're trying to  
9 get some better sound quality.

10 MR. FOLIO: Sure thing. Let's go off the record.

11 [Discussion off the record.]

12 MR. FOLIO: All right. Back on the record, please.  
13 Thank you.

14 One clarification. I think I misstated the date we've-  
15 -Chairman Grassley and Chairman Johnson first contacted  
16 Ambassador Nuland. It was December 18th, 2019.

17 My name is Joseph Folio. I'm the Chief Counsel for the  
18 Homeland Security and Governmental Affairs Committee. I'm  
19 going to introduce the rest of Chairman Johnson's staff and  
20 then take the opportunity to ask the other staff to  
21 introduce themselves.

22 I am joined today by Scott Wittman, Brian Downey, Will  
23 Sacripanti, and Sarah Smerling, all of Chairman Johnson's  
24 staff.

25 And I'll ask Chairman Grassley's staff to introduce

1 themselves.

2 MR. FLYNN-BROWN: Good morning, Ms. Nuland. My name is  
3 Josh Flynn-Brown. I'm deputy chief investigative counsel  
4 for Chairman Grassley. Thank you for your time today.

5 MS. NULAND: Thank you.

6 MR. FOLIO: I'll ask Ranking Member Peter's staff to  
7 introduce themselves.

8 MR. SCHRAM: Ambassador Nuland, my name is Zack Schram.  
9 I'm chief counsel for Ranking Member Peters.

10 Thank you for your participation in today's interview.  
11 The Minority's participation today is not an endorsement of  
12 the investigation. As the Ranking Members have said  
13 publicly, they believe this investigation advances a rush-  
14 in-disinformation campaign and is intended to interfere in  
15 our 2020 presidential election.

16 We are now 61 days away from that election. On August  
17 7th, the director of the National Counterintelligence and  
18 Security Center, William Evanina, issued an unclassified  
19 assessment of foreign election threats stating, quote,  
20 "Russia is using a range of measures to primarily denigrate  
21 former Vice President Biden. For example, pro-Russia  
22 Ukrainian Parliamentarian Andrii Derkach is spreading claims  
23 about corruption, including through publicizing leaked phone  
24 calls to undermine former Vice President Biden's candidacy  
25 and the Democratic Party," end quote.

1           The chairman's investigation has provided the  
2 committees as a platform to amplify the Russian attack on  
3 our election described by Mr. Evanina. Chairman Johnson has  
4 repeatedly admitted that this investigation is targeted at  
5 influencing voters and hurting Vice President Biden's  
6 presidential candidacy.

7           In March, hours after Joe Biden became the top  
8 Democratic contender, Chairman Johnson stated, quote, And if  
9 I were a Democrat primary voter, I'd want these questions  
10 satisfactorily answered before I cast my final vote.

11          Last month in describing the investigation, Chairman  
12 Johnson said, quote, I would think it would certainly help  
13 Donald Trump win reelection and certainly be pretty good, I  
14 would say, evidence about not voting for Vice President  
15 Biden.

16          I would also note we are conducting this interview  
17 remotely because we are in the midst of a pandemic that has  
18 created an extraordinary public health crisis in the United  
19 States. Since this investigation started, more than 186,000  
20 Americans have died of COVID. The Homeland Security and  
21 Governmental Affairs Committee has jurisdiction over  
22 pandemic preparedness and response, and yet this committee  
23 has now spent more than twice as much time on the record in  
24 this investigation than it has devoted to all of its COVID  
25 hearings combined.

1           As Chairman Johnson told a radio host on August 12th,  
2 quote, Whether I am in D.C. or not, I'm working on this  
3 almost nonstop, okay? So is my staff.

4           Ranking Member Peters believes that this investigation  
5 is a misuse of committee resources that does not advance the  
6 health, safety, or economic security of Americans,  
7 consistent with our committee's mission. We have a right  
8 and responsibility to be here, and we will do our best to  
9 ensure that you are treated fairly, that the record is  
10 accurate and complete, and that the national security  
11 interest of the United States is protected.

12          I am joined by my colleagues, Valerie Shen, Roy  
13 Awabdeh, and Soumya Dayananda.

14          MR. FOLIO: And for the record, we've responded to this  
15 opening statement by the Minority in each of the interviews.  
16 There are also numerous public responses by the committee  
17 and Chairman Johnson.

18          But to be clear, the committee remains very focused on  
19 COVID 19, has held several hearings, which is by the  
20 Minority script has changed to time on the record with  
21 witnesses. But as Chairman Johnson--I think we have dozens  
22 of staff members, two of--three of whom, if you count me,  
23 are dedicated to the investigation, and we also do work on  
24 the pandemic issues.

25          And I can't speak for Ranking Member Peters, but the

1 committee and the staff spend an extraordinary amount of  
2 time working on pandemic issues in a public hearing.

3 I'll also note that with regard to the investigation,  
4 the investigation began November 2019. As everyone  
5 understands and appreciates getting records of the agencies  
6 [inaudible-audio difficulties]. With regard to the  
7 Minority's allegations that this is somehow linked to any  
8 disinformation campaign, that allegation is simply  
9 untethered from any facts.

10 This investigation has been focused virtually on  
11 getting information from U.S. government agencies, U.S.  
12 government officials, former officials like Ambassador  
13 Nuland, and it is simply undisputed as a matter of fact that  
14 Hunter Biden took a well-paid position on the board of  
15 Burisma at the time his father was managing U.S. policy, and  
16 as we will discuss with Ambassador Nuland, that U.S.  
17 government officials had to deal with that issue as they  
18 pursued their anticorruption agenda.

19 And Senate Resolution 70(e)(1)(A) authorizes this  
20 committee to study and investigate, among other things, how  
21 that took place.

22 Ranking Member Wyden's staff, can you please introduce  
23 yourself?

24 MR. GOSHORN: Ambassador Nuland, my name is Dan Goshorn  
25 with Senator Wyden's staff on the Senate Finance Committee.

1           We'd like to note for the record that we associate  
2 ourselves with Ranking Member Peters' staff's comments about  
3 this investigation and the appropriateness of conducting it  
4 at this time.

5           I'm joined today by Dave Berick, Josh Heath, and  
6 Michael Osborn-Grosso.

7           Thank you for your time.

8           MR. FOLIO: Thank you, everyone.

9           I will now explain a little bit how the interview today  
10 will proceed.

11          The Federal Rules of Civil Procedure do not apply to  
12 the committees' investigative activities, including  
13 transcribed interviews.

14          The way questioning will proceed is that we will  
15 alternate between the Majority and Minority staffs for one  
16 hour each. The Majority staff will begin and proceed for an  
17 hour, and then the Minority staff will have an hour to ask  
18 its questions. Then we will rotate back and forth until  
19 there are no more questions, and the interview will be over.

20          During the interview, we will do our best to limit the  
21 number of people who are directing questions, and again,  
22 that said, from time to time, a follow-up question or  
23 clarifying question may be useful. And if that's the case,  
24 Ambassador Nuland, you may hear from other staff around the  
25 virtual table. Because we are virtual, I ask everyone to

1 please speak slowly and provide the opportunity for everyone  
2 to complete what they're saying before you jump in.

3 The reporter with us today is going to create a  
4 verbatim record of what we discussion, and I remind you,  
5 Ambassador Nuland, it's important that you respond to  
6 questions verbally. The reporter cannot properly record  
7 nonverbal responses or gestures. Do you understand this?

8 [No response.]

9 MR. FOLIO: Ambassador Nuland?

10 MS. NULAND: I do. Thank you.

11 MR. FOLIO: We encourage witnesses that appear before  
12 the committee to freely consult with counsel. Your counsel  
13 has introduced himself, but just to confirm, are you here  
14 today with counsel?

15 MS. NULAND: I am.

16 MR. FOLIO: And, counsel, can you please state your  
17 name for the record.

18 MR. ROBERTS: Yes. It's Blake Roberts of Wilber Cutler  
19 Pickering Hale and Door.

20 MR. FOLIO: Thank you, Blake.

21 Ambassador Nuland, we want you to answer our questions  
22 today in the most complete and truthful manner possible. So  
23 we're going to take our time. If you have any questions  
24 about what we're asking or if you do not understand, just  
25 let us know, and then we will do our best to clarify. Do

1 you understand?

2 MS. NULAND: I do, Joe, but your microphone is still  
3 really--I don't know. You sound like you are under water.  
4 The other folk are easy to understand. So I'm not sure  
5 what's happening on your side. So maybe you can speak a  
6 little slower.

7 MR. FOLIO: I will try and speak more slowly and  
8 loudly.

9 Ambassador Nuland, this interview is unclassified. So  
10 if the question calls for any information that you know to  
11 be classified, please state that for the record as well as  
12 the reason for the classification, and once you've clarified  
13 to the extent possible with as much unclassified information  
14 as possible, we can then discuss whether or not it makes  
15 sense to have a classified forum in which you can answer the  
16 remainder of the question.

17 It is the committee's practice to honor valid common  
18 law privileges as an accommodation to a witness or a party  
19 when those privileged claims are made in good faith and  
20 accompanied by sufficient explanation so the committees can  
21 evaluate the claim. When deciding whether to honor a  
22 privilege, the committees weigh their need for the  
23 information against any legitimate basis for withholding it.

24 This interview is occurring without prejudice to any  
25 further discussions with the committees, and we reserve the

1 right to request participation in future interviews or to  
2 compel testimony.

3 Ambassador Nuland, if you need to take a break, just  
4 let us know. Ordinarily, we will take a five-minute break  
5 in between each hour session, but if you need something in  
6 between, we're happy to try and accommodate you.

7 Ambassador Nuland, you are required to answer questions  
8 before Congress truthfully. Do you understand that?

9 MS. NULAND: I do.

10 MR. FOLIO: This also applies to questions posed by  
11 congressional staff in an interview. Specifically, 18 USC  
12 Section 1001 makes it a crime to make any materially false,  
13 fictitious, fraudulent statement or representation in the  
14 course of a congressional investigation. This state applies  
15 to your statements today. Do you understand that?

16 MS. NULAND: I do. Thank you.

17 MR. FOLIO: Is there any reason that you are unable to  
18 provide truthful answers to today's questions?

19 MS. NULAND: No.

20 MR. FOLIO: And finally, we ask that you not speak  
21 about what we discuss in this interview with anyone outside  
22 of who here is in the virtual room today in order to  
23 preserve the integrity of our investigation, and we also ask  
24 that you or your counsel member not remove any exhibits or  
25 any other documents from the interview. Do you understand

1 and agree?

2 MS. NULAND: I do, and I agree.

3 MR. FOLIO: Do you have any questions before we begin?

4 MS. NULAND: I do not.

5 Blake?

6 MR. ROBERTS: Joe, two points. One, is the State  
7 Department on? I believe they were invited to this, but we  
8 didn't hear anyone from State introduce themselves.

9 MR. FOLIO: Thank you for the reminder.

10 Will representatives from the State Department please  
11 identify themselves for the record.

12 MR. KILLION: Bill Killion, Legislative Affairs.

13 MR. THOMAS: Ken Thomas, Office of the Legal Advisor.

14 MR. FOLIO: Good morning, Ken and Bill.

15 MR. ROBERTS: Thank you.

16 MS. NULAND: Good morning, State colleagues.

17 MR. KILLION: Good morning.

18 MR. FOLIO: And I'd also like to clarify that there is  
19 another member of Chairman Johnson's staff who is not with  
20 us in the room, but she is on as well, Lydia Westlake.

21 MS. NULAND: Good morning, Lydia. Long time no talk.

22 MS. WESTLAKE: Good morning.

23 MR. ROBERTS: Joe, the other thing--

24 MR. FOLIO: Blake, go ahead.

25 MR. ROBERTS: The other thing I wanted to note is that

1 when you all agreed to schedule this interview with  
2 Ambassador Nuland, she had been available for 9:30 to 1:00.  
3 So that gives us about three and a half hours, and you all  
4 felt that was sufficient time to cover the topics you wanted  
5 to discuss. So we should try to keep to that schedule. So  
6 we'll have to move efficiently through the material.

7 MR. FOLIO: You're correct. That's what we discussed,  
8 and we will do our best. Thank you.

9 MR. ROBERTS: Thank you.

10 MR. FOLIO: All right. We'll start the Majority's  
11 hour.

12 Ambassador Nuland, what was your position at the State  
13 Department during the Obama administration?

14 MS. NULAND: Three positions at the State Department  
15 during the Obama administration. I assume you're just  
16 asking about my last position. Yes?

17 MR. FOLIO: If you wouldn't mind describing all three  
18 to us, that would be helpful. Thank you. And the times you  
19 were in each position.

20 MS. NULAND: Yes. I was first special envoy for  
21 Conventional Armed Forces in Europe, treaty negotiations.  
22 That was approximately January 2010 to March of 2011,  
23 something like that. I was then spokesperson for the State  
24 Department from May of 2011 until, I think, March or April  
25 of 2013, and then from September 2013 until January 2017, I

1 was Assistant Secretary of State for European and Eurasian  
2 Affairs, confirmed by the Senate.

3 MR. FOLIO: And what were your roles and  
4 responsibilities as Assistant Secretary of State for  
5 European and Eurasian Affairs?

6 MS. NULAND: I was responsible for implementing the  
7 President and the Secretary's policy towards the 50 nations  
8 of Europe and Eurasia, spanning the UK to Russia, as well as  
9 NATO, the European Union, and the Office of Security and  
10 Cooperation--Organization of Security and Cooperation in  
11 Europe, the OSCE.

12 I also had management and personnel oversight over the  
13 men and women of the State Department and our embassies  
14 overseas in that region.

15 MR. FOLIO: Approximately how many State Department  
16 bureaus did you oversee in this mission?

17 MS. NULAND: I only oversaw the one State Department  
18 bureau. I oversaw some 50-plus embassies as well.

19 MR. FOLIO: Ms. Nuland, if my terminology is confused--  
20 so it's just one bureau. Were there any other offices or  
21 mission centers from the embassies that you were responsible  
22 for?

23 MS. NULAND: Well, the bureau had some 20 offices, if  
24 that's what you're asking, under it.

25 MR. FOLIO: Yes, that's it.

1           Can you give us a high-level explanation of how those  
2 20 offices were broken down or organized?

3           MS. NULAND: Yes. They were largely regional, so  
4 Office of Russian Affairs, Office of Balkan Affairs, Office  
5 of Northern European Affairs. There were also some  
6 functional offices. We had two press functional offices.  
7 We had an office with regard to assistance for countries in  
8 our region. We had a general office of multilateral  
9 affairs. We had a NATO office, et cetera, et cetera.

10          MR. FOLIO: And which of those offices were responsible  
11 for U.S. policy towards Ukraine?

12          MS. NULAND: I would say during this period, almost  
13 every office in the Bureau of European and Eurasian Affairs  
14 had some role to play in implementation of Ukraine policy.

15          MR. FOLIO: And why was that?

16          MS. NULAND: Because the policy was not simply a U.S.  
17 policy. It also was a policy where we were endeavoring to  
18 stay tightly coordinated with all of our allies and partners  
19 around the world but particularly our NATO and EU partners.  
20 So Ukraine would come up in bilateral relations with almost  
21 every country--every country, in fact, in the region, and  
22 then the various functional offices also had pieces of the  
23 policy, whether you're talking about assistance, whether  
24 you're talking about congressional relations, whether you're  
25 talking about press relations, et cetera.

1 MR. FOLIO: What offices were functional offices would  
2 you identify as having primary responsibility or, I guess,  
3 the majority of the responsibility for Ukraine policy at  
4 this time?

5 MS. NULAND: The Office of Ukraine, Belarus, and  
6 Moldova Affairs.

7 MR. FOLIO: And what were your responsibilities with  
8 regard to U.S.-Ukraine policy?

9 MS. NULAND: I was responsible for overseeing  
10 implementation of the policy. I was responsible for  
11 maintaining a collaboration and coordination across the  
12 interagency at my level. I was responsible for creating  
13 policy--working on policy ideas and initiatives. I was  
14 responsible for public relations and congressional relations  
15 for the policy. I was responsible for working intensively  
16 with various--the various involved international  
17 interlocutors from Ukrainians to Russians to all of the  
18 European governments involved in international  
19 organizations.

20 MR. FOLIO: Did your responsibilities include U.S. loan  
21 guarantees to Ukraine?

22 MS. NULAND: So the U.S. loan guarantee policy was an  
23 interagency policy that a lot of the agencies around  
24 government had responsibility for, including, first and  
25 foremost, the Treasury Department. But yes, we were part of

1 the interagency process on deciding on the use of loan  
2 guarantees as a tool of policy with Ukraine.

3 MR. FOLIO: And what part of the loan guarantee policy  
4 fell within State's area of responsibility?

5 MS. NULAND: So the main impetus of policy after  
6 Yanukovich flees Ukraine and you have a new Democratic  
7 president was to support increasing democratization,  
8 Europeanization, reform anticorruption in Ukraine while also  
9 supporting Ukraine in its security and hot war against  
10 separatists and Russian supporters in the East.

11 With regard to the loan guarantee, it was one tool of  
12 policy for providing reform support for Ukraine. So to the  
13 extent that my office and I myself were integral to creating  
14 and implementing policy ideas for how to support Ukraine,  
15 that was one such, including ensuring that there was reform  
16 conditionality attached to U.S. economic support for  
17 Ukraine, including the loan guarantees.

18 MR. FOLIO: So you mentioned attaching conditions to  
19 the loan. Is that the primary way in which the U.S.  
20 Government used the loan guarantees as a policy tool?

21 MS. NULAND: Well, we were not going to give U.S.  
22 taxpayer money to a Ukraine that was not reforming. We were  
23 not going to give taxpayer money when we were concerned that  
24 it would disappear in unclean ways. So to the extent that  
25 we were providing large-scale economic support, budget

1 support to Ukraine, we wanted to ensure that Ukraine was  
2 staying on a reform track. So with each of the loan  
3 guarantees that we gave--there were three of them--we  
4 attached reform conditionality to the loan guarantees, and  
5 that conditionality was tightly coordinated with the  
6 International Monetary Fund's requirements, the World Bank's  
7 requirements, and the requirements of EU countries and  
8 others providing support to Ukraine.

9 MR. FOLIO: How important were these loan guarantees to  
10 the government of Ukraine?

11 MS. NULAND: They felt that they were essential for  
12 keeping Ukraine from defaulting, in the first instance,  
13 which was a real risk in 2014, and then for stabilizing the  
14 budget and allowing Ukraine to be credit-worthy in  
15 international markets.

16 MR. FOLIO: And why was that--

17 MS. NULAND: I would also remind that this was a time  
18 of intense Russian pressure, economic pressure, on Ukraine.

19 MR. FOLIO: And why was that important to Ukrainian  
20 government at the time?

21 MS. NULAND: Had they defaulted it would have been  
22 another way of Russia defeating reform and democracy in  
23 Ukraine. They would have had no choice but to go back under  
24 the orbit of Putin.

25 MR. FOLIO: You mentioned that there were three loan

1 guarantees and that there were discussions of conditions for  
2 each of them. Our focus is going to be on the third loan  
3 guarantee, but before we get there can you just give us some  
4 examples of some of the conditions that the United States  
5 Government sought to attached to the loan guarantees, the  
6 first and second loan guarantees?

7 MS. NULAND: Yeah. I would have to have gone back and  
8 reviewed the records on all of that, and I didn't have  
9 access to that, but I can give you--I'm not going to  
10 remember precisely what's attached to loan guarantee one and  
11 what's attached to loan guarantee two, but I can give you an  
12 example.

13 So I'm pretty sure it's attached to loan guarantee one,  
14 and then there was a second version of this. The  
15 Ukrainians, in order to balance their budget, had to agree  
16 to raise energy prices on Ukrainian consumers and end the  
17 massive government subsidy, which was a budget buster and  
18 unaffordable. So over the first and second loan guarantees  
19 there were increasing reduction of the state subsidy.

20 Another condition was that they had to raise the  
21 pension age. I can't remember whether that was loan  
22 guarantee second or third. But again, allowing folks to  
23 retire at too early an age, well below international  
24 standards, was unaffordable for Ukraine.

25 They had to settle with their private debtors, which

1 they did, I think, against the first loan guarantee. And  
2 then there were anticorruption standards against all three  
3 loan guarantees. Whether it was one or two I don't  
4 remember, but against one of them they had to establish the  
5 National Anticorruption Bureau to separately and  
6 independently investigate high-level corruption. They were  
7 also supposed to establish a special prosecutor. We did  
8 not, in the Obama administration, succeed in getting that  
9 done, although it finally did get done in 2019.

10 MR. FOLIO: Thank you for those examples. So following  
11 up on the conditions that related to anticorruption, one of  
12 the conditions for the third U.S. loan guarantee, that the  
13 U.S. eventually placed, was the removal of Ukraine's then  
14 prosecutor, General Viktor Shokin. When did the U.S.  
15 Government decide to condition that third loan guarantee on  
16 the dismissal of then Prosecutor General Shokin?

17 MS. NULAND: So the initial expectation, when we began  
18 talking about the third loan guarantee, which I believe was  
19 in the summer of 2015, was that Prosecutor General Shokin  
20 make more progress than we had seen to clean up corruption  
21 inside the Prosecutor General's Office itself--I'll now  
22 refer to that as the PGO--and that he make more progress in  
23 mounting big corruption cases, including against Yanukovych  
24 cronies, that he make more progress in investigating the  
25 hundred dead on the Maidan by snipers during 2013-2014.

1           So the first press was to see him make the Prosecutor  
2 General's Office, the PGO, clean and effective, so that's  
3 what we started pressing in August, September, October. You  
4 see that pressed in the speech that Ambassador Pyatt gives  
5 in Odessa. You see it in my testimony before the Senate  
6 Foreign Relations Committee in October of 2015. Lydia will  
7 remember that. It was the subject of many phone calls  
8 between us and senior Ukrainians. It was a policy that was  
9 coordinated tightly with the Europeans, with the  
10 International Monetary Fund, the World Bank. But not only  
11 did we not see progress, we saw the PGO go backwards in this  
12 period.

13           And so by the time we get to December of 2015, we've  
14 concluded that the PGO is not going to get cleaned up under  
15 Shokin and that there needs to be--and to encourage  
16 Poroshenko to demonstrate his commitment by replacing  
17 Shokin.

18           MR. FOLIO: And when you said "we" made that  
19 determination, who is "we"?

20           MS. NULAND: We had worked on this in the interagency  
21 at all levels for many, many months, as we did with all of  
22 these loan guarantees. So, you know, traditionally there  
23 were four levels of interagencies that were responsible for  
24 policy formation. I can go through that if you'd like.

25           MR. FOLIO: That would be helpful. Thank you.

1 MS. NULAND: Good. So the level below me was called  
2 the Sub-Interagency Policy Committee, so deputy assistant  
3 secretary level. They would begin the process of looking at  
4 new policy initiatives like the loan guarantee and what  
5 conditionality was appropriate. They would begin the  
6 consultation with Europeans and the IPC, et cetera.

7 Then when they had recommendations they would come up  
8 to the IPC, the Interagency Policy Committee, which was at  
9 my level. It was chaired by the National Security Council.  
10 Celeste Wallander sat that committee. And when we had  
11 unanimity, which we generally did, we would push proposal,  
12 policy proposals to the Deputies Committee, which was  
13 comprised of responsible deputies in the National Security  
14 interagency. And if they had any issues they would send it  
15 to principal Cabinet members or the President, and/or the  
16 President, but generally they would just have consensus at  
17 their level and inform or advise the President of intended  
18 next steps in policy.

19 MR. FOLIO: So you're saying as a general matter the  
20 policy decisions were decided at that third level, the  
21 Deputies Committee.

22 MS. NULAND: I can't speak to this particular one,  
23 because again, I didn't have the opportunity to review my  
24 records, classified and unclassified, as to how this  
25 particular decision evolved. But generally we had unity at

1 both the deputies and the principals level. Sometimes the  
2 principals wanted to ventilate issues. Sometimes the  
3 President wanted time to review issues. It's possible that  
4 that was the case this time. I frankly don't know because I  
5 haven't seen my records. It was a lot of money, by the way,  
6 right, so it was a big commitment by the United States.

7 I would also note that throughout the period of the  
8 loan guarantees, as Lydia knows well, these were consulted  
9 intensively with Congress.

10 MR. FOLIO: So turning back to then Prosecutor General  
11 Shokin, you said in the summer of 2015, you determined that  
12 when you said it was made that he needed to make more  
13 progress. Can you provide us additional detail as to the  
14 U.S. Government's assessment at that point in time, summer  
15 of 2015, what progress had not been made that you were  
16 looking to see?

17 MR. ROBERTS: Joe, I'm sorry. Could you repeat that a  
18 little more slowly? I at least had a hard time hearing the  
19 first part of your question.

20 MR. FOLIO: Sure. I just want to--in summer of 2015,  
21 Ambassador, you stated that they wanted to see--the U.S.  
22 Government wanted to see then Prosecutor General Shokin make  
23 more progress. And I wanted to ask, what were the issues  
24 that you identified, "you" being the U.S. Government State  
25 Department, identified in the summer of 2015 the areas where

1 you wanted to see more progress, and what was that progress  
2 you wanted to see?

3 MS. NULAND: So I would set the timeline at summer of  
4 '15 into the fall of '15, and there's considerable detail in  
5 the Pyatt speech that he gives in Odessa in the middle of  
6 September. But we had not seen Shokin bring to the courts  
7 any high-profile corruption cases. We knew of significant  
8 corruption within the PGO itself already at that period, in  
9 part because we had FBI and Justice Department advisors  
10 there who were concerned about it and who were working with  
11 deputies of Shokin who were trying to clean up the PGO, and  
12 they reported that he was resisting.

13 We also had wanted to see more progress, as I said, or  
14 some progress on the investigation with regard to the  
15 killing of Maidan demonstrators.

16 MR. FOLIO: How did then Prosecutor General Shokin  
17 compare to his predecessor, Prosecutor General Yarema?

18 MS. NULAND: Prosecutor General Yarema was also  
19 ineffective at cleaning up the PGO, and as you know, he  
20 didn't last a full year with President Poroshenko either.  
21 He was also replaced.

22 I would also note that both in the case of Yarema, and  
23 then by the fall of 2015 with regard to Shokin, there was  
24 huge pressure in Ukraine itself on the PGO, and concerns  
25 from anticorruption activists, members of the Ukrainian

1 parliament, the Rada, other politicians, the public at  
2 large, that neither of these prosecutors, in their  
3 particular time period, was doing the job. I think Shokin's  
4 public opinion ratings in the fall were, you know, almost in  
5 single digits.

6 MR. FOLIO: What were the issues with Prosecutor  
7 General Yarema?

8 MS. NULAND: Again, that he did virtually nothing.

9 MR. FOLIO: When the United States sought to condition  
10 the loan guarantee, the third loan guarantee, on the  
11 dismissal of Prosecutor General Shokin, with whom did that  
12 idea originate?

13 MS. NULAND: Joe, I frankly don't remember, but I do  
14 know, as I said to you, that we were in an intensive process  
15 throughout the fall of trying both privately and in public  
16 statements to highlight the fact that the cleaning up of the  
17 PGO was not happening, that it needed to happen if  
18 Poroshenko was going to meet his commitment to the  
19 international community to root out corruption and to meet  
20 his commitment to the Ukrainian people. At what point we  
21 actually gave up on Shokin being able to reform it or  
22 choosing to reform it himself, I don't recall, but it was  
23 pretty clear by the end of November that with him in charge  
24 things were not going to get better. That was our view.

25 And there had been a number of incidents between the

1 summer and then that actually led us to think that it was  
2 getting worse.

3 MR. FOLIO: And what were those incidents?

4 MS. NULAND: So in the Pyatt speech, among other  
5 things, he points out that the Prosecutor General's Office  
6 under Yarema had refused to cooperate with the case against  
7 Zlochevsky and Burisma, and as a result the London court had  
8 had to close the case and some \$23 million had gone missing.  
9 Pyatt publicly says, and we're saying to them privately,  
10 that one indication that the PGO is getting cleaned up under  
11 Shokin would have been if he had investigated and/or removed  
12 those members of the PGO who had been responsible for  
13 dismissing the case against Burisma. He did not take any  
14 steps in that direction.

15 Second, there was the case of members of Shokin's  
16 prosecutorial team who were caught with diamonds in their  
17 houses, the so-called "diamond prosecutors." Obvious  
18 corruption somewhere down the line. And the two deputies  
19 who we were working closely with in the PGO were endeavoring  
20 to try to investigate that case and get justice against  
21 those members of the PGO team, and Shokin was blocking that  
22 at every stage. And that case was particularly emblematic  
23 in Ukrainian public opinion and helped increase the public's  
24 real concern that not only was it business as usual but that  
25 Shokin himself was corrupt.

1 MR. FOLIO: So you mentioned a bribe of \$23 million,  
2 and it had been paid to help Burisma avoid a case in the  
3 United Kingdom. Can you provide more detail of that, and  
4 was that under Prosecutor General Yarema?

5 MS. NULAND: So it was during the tenure of Prosecutor  
6 General Yarema. A case was brought in the London courts  
7 against the head of Burisma, Zlochevsky, for embezzling some  
8 \$23 million. The Ukrainian prosecutors under Yarema himself  
9 were asked to provide supporting documentation to the London  
10 court. Instead of doing so, they closed the case and said  
11 they had nothing, which required the London court also to  
12 close the case.

13 When Shokin comes in, he had an opportunity to reopen  
14 that case. He did not. He also had an opportunity to  
15 investigate those within the PGO who protected Zlochevsky,  
16 and he did not. And that was what Biden--I'm sorry--that  
17 was what Pyatt, Ambassador Pyatt was recommending in  
18 September of 2015, that, at a minimum, Shokin investigate  
19 who had protected Burisma within the PGO.

20 MR. FOLIO: After the bribe was paid under Yarema's  
21 tenure, did the U.S. Government seek the dismissal of  
22 Prosecutor General Yarema?

23 MS. NULAND: We discussed our concern with the  
24 Ukrainian government, and Poroshenko himself made the  
25 decision to dismiss Yarema. So obviously our concerns were

1 registered. We didn't get as far as having to condition any  
2 of our support on Yarema's dismissal because Poroshenko took  
3 the moves himself.

4 MR. FOLIO: You mentioned concern about Prosecutor  
5 General Shokin, that he did not reopen the case against  
6 Burisma. How could he have reopened the case if it was a  
7 case in London?

8 MS. NULAND: There was also a case in Ukraine, and the  
9 case in Ukraine was what would have provided evidence to the  
10 London court.

11 You know, because the courts had been so corrupt in the  
12 Yanukovych period, it was often the case that Ukrainians  
13 would take each other to court in London because they  
14 thought they would do better, which is not to say that there  
15 weren't parallel cases often in Ukraine.

16 MR. FOLIO: So in the instance in which the bribe was  
17 paid and the case against Mr. Zlochevsky and London went  
18 away, are you saying there was also a parallel case in  
19 Ukraine against Mr. Zlochevsky?

20 MS. NULAND: There was, and it was closed under Yarema.  
21 That's my understanding, anyway.

22 MR. FOLIO: Yarema both--or under Yarema's watch at  
23 least, the prosecutor both failed to cooperate with London  
24 such that the London case was dismissed and then also  
25 dismissed the Ukrainian investigation of Mr. Zlochevsky?

1 MS. NULAND: Correct. And the individuals within the  
2 PGO who had made those two bad decisions were still in their  
3 posts when Shokin takes over. So if you look carefully at  
4 the text of the Pyatt speech in Odessa in September of 2015,  
5 he uses this as an example of Shokin not cleaning up his own  
6 house. Had he opened an investigation into his own staff  
7 who had been part of letting Burisma off the hook, as we  
8 were asking at that time, that might have led to a reopening  
9 of the criminal prosecution against Zlochevsky himself.

10 MR. FOLIO: So [inaudible-audio difficulties] decision  
11 to basically not--

12 MS. NULAND: Joe, I'm not--

13 MR. FOLIO: Sorry.

14 MS. NULAND: One more time, can you--

15 MR. FOLIO: The decision to not pursue the case in  
16 Ukraine and not to help United Kingdom authorities pursue  
17 the case was made by individuals under Yarema's watch, and  
18 you said Shokin, once he became prosecutor general, he did  
19 not dismiss those persons. How does the U.S. government  
20 determine at the point in time that it would attribute the  
21 actions or omissions--basically the actions of others to the  
22 prosecutor general?

23 MS. NULAND: Again, as I said, we had U.S. advisors--  
24 FBI and Justice--as part of our assistance program to  
25 Ukraine, working closely with two deputies to Shokin, who

1 Mr. Kasko and Mr. Sakvarelidze--I'm going to mangle his  
2 Georgia name--and both of them were trying to prosecute or  
3 at least investigate those in the PGO who had declined to--  
4 declined to assist the London court under Yarema, and they  
5 were quite concerned that those two were--that those  
6 individuals were still active. And they reported to us that  
7 they were blocked by Shokin in doing that.

8 MR. FOLIO: And how so?

9 MS. NULAND: I frankly don't have any further details  
10 on that.

11 MR. FOLIO: Turning back to the decision to condition  
12 the third loan guarantee on Prosecutor General Shokin's  
13 removal, at what levels of the interagency that you've  
14 described was this discussion discussed?

15 MS. NULAND: Joe, again, I didn't have the opportunity  
16 to review records from this period, classified or  
17 unclassified, so I cannot speak precisely, but if it were  
18 true to most decisions with regard to Ukraine, as I said, it  
19 would have been initiated at the sub-IC level going through  
20 the IPC, been affirmed by deputies, and then gone up at  
21 least in a briefing form to principals and the President and  
22 certainly with regard to this kind of money, which would  
23 involve, you know, taxpayer resources that were significant.  
24 The President would certainly have been part of the policy  
25 process.

1 MR. FOLIO: Were you part of the IPC process that  
2 discussed whether or not the third loan guarantee should be  
3 conditioned on the removal of Prosecutor General Shokin?

4 MS. NULAND: I was.

5 MR. FOLIO: And what was your view of the discussion at  
6 your level?

7 MS. NULAND: My view was that we had been pushing and  
8 warning along with the Europeans, along with the  
9 International Monetary Fund, along with the World Bank for  
10 months and months and months that the PGO needed cleaning up  
11 and needed to do its job, and we were not only not making  
12 any progress there, but we had had this shocking new diamond  
13 prosecutor's case, which was taking them in the wrong  
14 direction, and that as long as Shokin as the head of the PGO,  
15 we were not going to get significant anticorruption reform  
16 in Ukraine. And we should not be putting more U.S. tax  
17 dollars into Ukraine in that circumstance.

18 MR. FOLIO: Was it a significant decision to condition  
19 an entire \$1 billion loan guarantee on the removal of one  
20 person?

21 MS. NULAND: There were other conditions for that loan  
22 guarantee at the time. I can't recall all of the  
23 conditions. I believe one of them had to do with the  
24 pension funds. There were at least three conditions that  
25 were coordinated with the IMF. As I said, I haven't been

1 able to review the documents, so I can't tell that  
2 particular story precisely. But this is only one of several  
3 conditions.

4 The Ukrainians were on track to meet the rest of them,  
5 as I recall.

6 MR. FOLIO: So you shared with us your view of  
7 Prosecutor General Shokin, the decision to condition loaning  
8 at that time. Who else participated in that discussion at  
9 your level, and what were their views?

10 MS. NULAND: Again, this was 5 years ago. I don't  
11 think I can characterize the views of others without having  
12 reviewed the record, but at my level in the interagency,  
13 there would have been my NSC counterpart, Celeste Wallander,  
14 usually Charlie Kupchan who was responsible for--actually,  
15 Charlie was responsible for Ukraine, Celeste was responsible  
16 for Russia, as we worked in tandem with both of them.

17 There would have been Mr. Tallui [phonetic] at  
18 Treasury. Commerce would have been involved. Who else?  
19 Office of Vice President would have been involved. Defense  
20 was involved. There were other things that we were talking  
21 about with regard to security support for Ukraine at that  
22 time. So that would have been Elissa Slotkin. I'm trying  
23 to think. Not USTR, I guess. The intelligence agencies,  
24 obviously, would have been involved.

25 MR. FOLIO: At your level, who participated from the

1 Office of the Vice President?

2 MS. NULAND: It would either have been Carpenter, Mike  
3 Carpenter, Anna Makanju, or it might have been the National  
4 Security Advisor, Colin Kahl, although I think he usually  
5 came to deputies.

6 But, again, I just want to be clear that I'm  
7 speculating now based on the habits of the interagency at  
8 that time. I haven't reviewed the record. So I can't speak  
9 to who sat in individual IPCs.

10 MR. FOLIO: So in--

11 MS. NULAND: I would also note that I myself did a huge  
12 amount of travel in that job. I would often try to pipe in  
13 by video to IPCs, but occasionally, my deputy is at the  
14 chair.

15 MR. FOLIO: So at your level at the IPC on the issue of  
16 whether to condition a third loan guarantee on the removal  
17 of prosecutor general, were there any dissenting views from  
18 other agencies?

19 MS. NULAND: I think, as I said, the view of the  
20 interagency at our level was to give the Ukrainian and  
21 Shokin and Poroshenko every opportunity throughout the fall  
22 to fix these problems and demonstrate their commitment to a  
23 clean, effective PGO. That was our first preference, but I  
24 believe that we were pretty well aligned towards the end of  
25 November and particularly after the diamond prosecutor case

1 that this was an irredeemable situation.

2 And I would argue--I would note that the International  
3 Monetary Fund was equally concerned, as were the Europeans.

4 MR. FOLIO: All right. What--

5 MS. NULAND: By the way, in almost weekly contact with  
6 British, French, and German counterparts on Ukraine in this  
7 period because we were also working on the Donbass war, and  
8 they were in agreement as well.

9 MR. FOLIO: And what role did Ambassador Pyatt have in  
10 developing this condition?

11 MR. ROBERTS: John, I'm sorry. I couldn't get the  
12 first part of that. Could you restate it?

13 MR. FOLIO: Sure. What role, if any, did Ambassador  
14 Pyatt have in developing this condition on the third loan  
15 guarantee?

16 MS. NULAND: Ambassador Pyatt and the embassy, because  
17 remember he also had responsibility for the U.S. advisors  
18 who were sprinkled throughout the Ukrainian government,  
19 including the two in the PGO, was firmly of the view that  
20 the first option ought to be to clean--to see if Shokin  
21 would clean up the PGO, to see if President Poroshenko would  
22 put sufficient pressure on Shokin to clean up the PGO. It  
23 really was a last resort to conclude that that was not going  
24 to happen.

25 MR. FOLIO: And did Bridget Brink have a role in these

1 discussions?

2 MS. NULAND: Bridget Brink was my Deputy Assistant  
3 Secretary for Ukraine. So at the sub-IPC level, she would  
4 sit the chair on interagency deliberation.

5 MR. FOLIO: And what was her position on this  
6 condition?

7 MS. NULAND: I frankly don't recall, but I also don't  
8 recall that we were at variance on this.

9 MR. FOLIO: So would it be fair to say that she  
10 reflected the position that you had in the sub-IPC meetings?

11 MS. NULAND: Yes. We would generally coordinate on  
12 major issues, but just to underscore, throughout the fall,  
13 we're trying to fix it.

14 It's quite unusual for an ambassador to give a speech  
15 of detail on the Office of Prosecutor General as Pyatt did  
16 in September with such specific public suggestions, and none  
17 of those was taken up by Shokin.

18 MR. FOLIO: In that speech, did Ambassador Pyatt not  
19 identify Mr. Zlochevsky by name?

20 MS. NULAND: I'm sorry. I didn't understand you, Joe.

21 MR. FOLIO: In Ambassador Pyatt's speech, did he not  
22 mention Mr. Zlochevsky and his corruption issues by name?

23 MS. NULAND: I don't remember. I think he does, does  
24 he not?

25 MR. FOLIO: We'll turn to that document in a minute.

1           And then--so you mentioned the U.S. government was  
2 providing opportunities for Prosecutor General Shokin to  
3 reform, and you mentioned the diamond prosecutor's case  
4 providing evidence to the contrary. Was the diamond  
5 prosecutor's case the straw that broke the proverbial  
6 camel's back?

7           MS. NULAND: It caused a huge hue and cry in Ukraine  
8 itself, and the population that had supported the change  
9 felt betrayed. And it resulted in a mass--you know, in a  
10 sort of evaporation of what was left of Shokin's public  
11 opinion ratings.

12          MR. ROBERTS: And, Ambassador Nuland, when you say the  
13 change, what change are you referring to?

14          MS. NULAND: I'm sorry.

15          MR. ROBERTS: When you said the population that support  
16 the change felt betrayed.

17          MS. NULAND: I'm sorry. The population which had  
18 supported Maidan had supported the new elections, the new  
19 government, the ousting of Yanukovych, the Ukrainian  
20 aspiration to associate with Europe, all of that, a clean  
21 Ukraine, the supporters of the Revolution of Dignity, as the  
22 Ukrainians called it, and one aspect of dignity very much  
23 was clean justice.

24          MR. FOLIO: And when did the prosecutor--or I'm sorry--  
25 the diamond prosecutor scandal become public?

1 MS. NULAND: I don't recall, Joe. My memory is it was  
2 that fall

3 MR. FOLIO: And were there any other issues that moved  
4 the U.S. government policy at that time, as you described  
5 it, from reforming the office to dismissal of then  
6 Prosecutor General Shokin?

7 MS. NULAND: I'm sorry. Were there any other issues  
8 what?

9 MR. FOLIO: Were there any other issues that you would  
10 point to that motivated the U.S. government to move from a  
11 policy of seeking to reform the office to seeking the  
12 removal of then Prosecutor General Shokin?

13 MS. NULAND: Again, by that time, Shokin had had  
14 another three, four months to bring large corruption cases  
15 to the courts, including cases against Yanukovych cronies or  
16 his son-in-law. No cases had been made. Again, there had  
17 been the opportunity over four months to begin serious work,  
18 demonstrable work, to investigate who had been behind the  
19 sniper killing of some 100 innocent bystanders during  
20 Maidan, and nothing had happened there.

21 So there was not only corruption within the office  
22 itself. There was no movement, demonstrable movement,  
23 against big fish by the Shokin PGO.

24 MR. FOLIO: Taking the examples that you offered seem  
25 to be examples of failures to act, omissions. Were there

1 any affirmative examples of then Prosecutor General Shokin  
2 acting corruptly?

3 MS. NULAND: It was the view of both his two deputies,  
4 Kasko and Sakvarelidze, and of the two U.S. advisors inside  
5 the PGO at that time that he was actively protecting those  
6 involved in the diamond prosecutor case.

7 I obviously didn't have direct knowledge of that, but  
8 that was their view.

9 MR. FOLIO: When was the--this condition, in  
10 particular, for the third loan guarantee communicated to the  
11 government of Ukraine?

12 MR. ROBERTS: Joe, I'm sorry. Can you repeat that?

13 MS. NULAND: Communicated to the government. I got it.

14 MR. ROBERTS: You go tit?

15 MS. NULAND: Yes.

16 Again, I would have to review the classified and  
17 unclassified records of this period. Whether we began by  
18 November to say this is not working, we don't see a way to  
19 clean up this place while Shokin is still in place, what are  
20 you going to do about it, or whether it was later, I frankly  
21 can't speak to when the actual turn is made.

22 But what we were seeking was for Poroshenko himself--  
23 and he had responsibility for dismissing the prosecutor--to  
24 come to the conclusion that the work this subordinate was  
25 engaged in was not up to the standard that he had promised

1 either the Ukrainian people or the international community.

2 MR. FOLIO: Did he ever come to that view?

3 MS. NULAND: When--I would say that it was--he--I don't  
4 want to speak for him, and I don't want to get into  
5 classified conversations that we had with him. Let's put it  
6 that way. I would say that it was difficult for him to  
7 think about making a change because he and Shokin were  
8 close, and there is always the question of when you bring  
9 in a new prosecutor, as he would have had to do if he were  
10 going to fire Shokin, whether that person would be loyal.  
11 And I don't want to go further than that in an unclassified  
12 setting, if you don't mind.

13 MR. FOLIO: Understood. But the U.S. government  
14 actually moved forward with the condition, and then the  
15 decision was made to have Shokin removed, correct?

16 MS. NULAND: So we conveyed at various levels, late  
17 November, December, January '16, into early February that we  
18 did not see asking the American taxpayer to give another  
19 billion-dollar loan guarantee to a country with an obviously  
20 corrupt prosecutor general and prosecutor general's office,  
21 and so the choice was put to the Ukrainians, "If you'd like  
22 the money and the support, you're going to have to clean up  
23 the PGO."

24 MR. FOLIO: Who conveyed that message?

25 MS. NULAND: That message was conveyed at all levels, I

1 would say.

2 Now, when that begins, when we actually make that turn  
3 that we think he needs to go, that there's no other way, as  
4 I said, I can't speak to the precise timing without access  
5 to the records, but certainly, it was being conveyed at the  
6 embassy level, at my level, at Secretary Kerry's level, and  
7 ultimately at the Vice President's level privately to the  
8 Ukrainians, "Do something here, or it's going to be hard for  
9 us to move this money."

10 MR. FOLIO: What is Vice President Biden's role in  
11 deciding to impose this condition on the third loan  
12 guarantee?

13 MS. NULAND: I don't recall, and again, I would need  
14 access to the classified records and a reminder of what  
15 interagency meetings were held in this period, none of which  
16 I have seen, but I know that by the time we went to Ukraine  
17 for the Vice President's trip on 7, 8 December 2015, he was  
18 firmly of the view that he could not represent to your  
19 bosses in the U.S. Congress and to American taxpayers that  
20 it was a good bet to put another billion-dollar loan  
21 guarantee into Ukraine with this level of corruption and  
22 dirt in the prosecutor general's office.

23 MR. FOLIO: And was it in that time period when the  
24 Vice President communicated that condition to his  
25 counterpart in Ukraine?

1 MS. NULAND: Yes. So again, this was sensitive. We  
2 did not want to make the decision for the Ukrainians. We  
3 could not. It was their country, their government,  
4 Poroshenko's government. We also didn't want to humiliate  
5 or embarrass Poroshenko unnecessarily. We wanted him to  
6 come to the right conclusion himself that this Prosecutor  
7 General was letting him down and was destroying the  
8 anticorruption reputation of Ukraine, which was the view of  
9 Ukrainian population, our view, the International Monetary  
10 Fund, the World Bank, and the Europeans.

11 So the decision was made that the Vice President would  
12 make general reference to needing to clean up the PGO  
13 publicly, and in his meetings with Ukrainian officials, but  
14 that the hard message--no money unless Shokin is replaced  
15 with somebody cleaner--would be made one-on-one to  
16 Poroshenko, so as not to embarrass him, to give him the  
17 opportunity to make the decision himself. And that was  
18 conveyed in a one-on-one meeting between the Vice President  
19 and Poroshenko during that December 7-8 trip.

20 MR. FOLIO: And what was the response of the Ukrainian  
21 officials?

22 MS. NULAND: So again, my information is second-hand.  
23 The Vice President, whenever I worked with him in diplomacy,  
24 was always quite good at debriefing his one-on-one meetings  
25 with leaders. My memory of it, Joe--and again, I would have

1 to see the memcons, the memorandums of conversations, the  
2 records that we kept contemporaneously, and I don't have any  
3 of my own records, and I did not see any of the records that  
4 were kept by the White House. But my memory of it is that  
5 President Poroshenko made clear that he understood the  
6 concern. He did not defend Shokin, but he made clear that  
7 it was going to be a very difficult decision for him and his  
8 party, for issues of loyalty, and that he would have to  
9 decide.

10 And, you know, again, we weren't forcing this issue.  
11 We were simply saying, "You have a choice. If you need this  
12 U.S. money, this is the condition. If you don't need it,  
13 proceed as you want."

14 MR. FOLIO: So you talk about the effect that this was  
15 having on anticorruption efforts in Ukraine, but we also  
16 talked about the anticorruption problems that existed with  
17 the prior Prosecutor General, Prosecutor General Yarema.

18 MS. NULAND: Yes.

19 MR. FOLIO: So two Prosecutor Generals in a row. What  
20 convinced the United States Government at this time that  
21 seeking yet another dismissal would lead to something  
22 better?

23 MS. NULAND: Again, we couldn't continue to put money  
24 into Ukraine at that level of corruption in the PGO. So the  
25 only option was to try a third time, or to ask Poroshenko to

1 try a third time, to get somebody who was truly committed to  
2 a clean justice system. Did we--were we sure it would work?  
3 Were we sure he would find somebody better? Were we sure  
4 Ukraine would clean up? Of course not. But again, the  
5 decision for us was pour more U.S. taxpayer money into a  
6 leaky bucket or ask that they try again to fix the bucket.

7 MR. FOLIO: And at this time it was the assessment of  
8 the U.S. Government that this issue, with Prosecutor General  
9 Shokin, was serious enough such that the government was  
10 willing to condition the third \$1 billion loan guarantee on  
11 his removal.

12 MS. NULAND: As I said, there were a number of  
13 conditions, including economic conditions, but this was the  
14 main rule-of-law condition, yes.

15 MR. FOLIO: I think you also testified that the other  
16 conditions had been met by this time, in the fall of 2015.  
17 Right?

18 MS. NULAND: Frankly, I need--I would have to again  
19 review the record. There was some legislation that had to  
20 be passed by the Rada on the economic side. I don't recall  
21 whether it was passed in December or whether it was passed  
22 in January. But it was on its way to passage. And there  
23 was also, if I remember, at least one issue having to do  
24 with decreasing subsidies, which Poroshenko had already made  
25 the executive decision but it needed implementation.

1           Anyway, we were confident that on the timeline we were  
2 on, which was spring disbursal, they would meet the other  
3 conditions. This was the one that required Poroshenko's  
4 commitment, and we hadn't seen it.

5           MR. FOLIO: Could President Poroshenko fire the two  
6 deputies that were in the Prosecutor General's Office, that  
7 were of such concern under Yarema and then Shokin?

8           MS. NULAND: I'm sorry. Did Poroshenko fire--

9           MR. FOLIO: Could he have.

10          MS. NULAND: No. It would have had to have been  
11 Shokin. And you will recall that one of them does get  
12 fired--I can't remember which was which--and the other one  
13 resigned.

14          MR. ROBERTS: I think Joe is referring to the--Joe, are  
15 you referring to the deputies involved in the diamond case  
16 or the reform deputies?

17          MR. FOLIO: I'm referring to the deputies that  
18 Ambassador Nuland identified as I think being problems under  
19 Yarema when the case against Burisma was not pursued--the  
20 cases against Burisma were not pursued, and how they  
21 persisted in their position. And maybe they're different or  
22 the same as the diamond prosecutors. But regardless, for  
23 any of the people that were problems I guess my question is,  
24 why could President Poroshenko not have fired those  
25 individuals, or demanded their dismissals, since they seem

1 to have been the people with the issues?

2 MS. NULAND: So those guys were not deputies, the  
3 diamond. They were prosecutors on the PGO staff, is my  
4 understanding. You confused me because the two deputies who  
5 we were working with were the reformers.

6 It was not within his writ to reach down over Shokin's  
7 head--my understanding, his legal writ, Poroshenko's--to  
8 make personnel changes within the PGO. The head of the PGO  
9 had to make those changes.

10 MR. FOLIO: And why did the U.S. Government not demand  
11 the firing of specific individuals that it knew to be  
12 corrupt, or to be taking corrupt actions, rather than seek  
13 the firing of their boss?

14 MS. NULAND: We did, Joe. If you read the speech by  
15 Pyatt, he specifically recommends investigating or removing  
16 those who blocked the Burisma case.

17 MR. FOLIO: And the only position from the U.S.  
18 Government's perspective, the only person that could have  
19 affected that was Shokin.

20 MS. NULAND: Legally, my understanding in Ukraine is it  
21 was in his chain of command and he was the one who would  
22 have had to have done it.

23 MR. FOLIO: And was the U.S. Government expressed the  
24 government of Ukraine that those were the individuals that  
25 [inaudible-audio difficulties]. I don't think the speech

1 called them out by name.

2 MS. NULAND: I'm sorry. You garbled up at the end  
3 there.

4 MR. FOLIO: Was the U.S. Government clear about the  
5 individuals who were problematic in the Prosecutor General's  
6 Office, that they believed needed to be dismissed?

7 MS. NULAND: Yes. If you read the speech that Pyatt  
8 gives--you know, we can find the section if you'd like--he  
9 doesn't name them, but it's pretty clear who we're talking  
10 about, and certainly Shokin and his deputies knew who we  
11 were talking about.

12 And then we also, when the diamond prosecutor case hits  
13 the street, we were very clear, at my level, at Pyatt's  
14 level, but here was another example where it would be very  
15 easy for Shokin to prove his anticorruption bona fides by  
16 either investigating, prosecuting, or removing those  
17 individuals.

18 MR. FOLIO: And for the last few minutes we have I'm  
19 going to hand the questioning over to my colleague, Scott  
20 Wittmann. Thank you.

21 MR. WITTMANN: Hi, Ambassador Nuland. My name is Scott  
22 Wittmann. Can you hear me?

23 MS. NULAND: I can, Scott.

24 MR. WITTMANN: Oh, I'm sorry. Maybe I couldn't hear  
25 you. Can you hear me now?

1 MS. NULAND: Yes. And can you hear me?

2 MR. WITTMANN: Yes. Thank you. We just have a couple  
3 more minutes left in our time so I'll be--I'll only be going  
4 through a few questions.

5 Just to follow up, regarding the individuals that  
6 Ambassador Pyatt referred to in the Prosecutor General's  
7 Office that were problematic, why were they problematic?

8 MS. NULAND: I'm sorry. You're talking about in the  
9 September speech, or later?

10 MR. WITTMANN: Yes, ma'am. In the September 2015  
11 speech.

12 MS. NULAND: Ambassador Pyatt specifically notes, as an  
13 example, of corruption and incompetence in the Prosecutor  
14 General in general, the fact that the PGO declined to  
15 cooperate with the London court's case against Zlochevsky  
16 and Burisma, and that they closed their own case. And he  
17 suggests in that speech that the prosecutors within the PGO,  
18 who were still on duty then, should be investigated for  
19 those decisions and/or fired.

20 MR. ROBERTS: Scott, you all had identified Ambassador  
21 Pyatt's speech as an exhibit that you may want to use in  
22 your interview. Ambassador Nuland, would it be helpful for  
23 her to read the relevant paragraph?

24 MS. NULAND: I think that would be helpful to read it  
25 into the record so we're all clear what we're talking about.

1 How about that?

2 MR. WITTMANN: Sure.

3 MS. NULAND: So again, this is a speech that Ambassador  
4 Pyatt is giving on September 24, 2015 in Odessa, one of the  
5 historically most corrupt cities in Ukraine. It's largely  
6 about the importance of staying on the anticorruption track.  
7 About halfway through he says the following:

8 "For example, in the case of former Ecology Minister  
9 Mykola Zlochevsky, the UK authorities have seized \$23  
10 million in illicit assets that belong to the Ukrainian  
11 people. Officials at the PGO's office were asked by the UK  
12 to send documents supporting the seizure. Instead, they  
13 sent letters to Zlochevsky's attorneys attesting that there  
14 was no case against him. As a result, the money was freed  
15 by the UK court and shortly thereafter the money was moved  
16 to Cyprus.

17 "The misconduct by the PGO officials who wrote those  
18 letters should be investigated, and those responsible for  
19 subverting the case by authorizing those letters should, at  
20 a minimum, be summarily terminated."

21 MR. WITTMANN: Thank you, Ms. Nuland.

22 MS. NULAND: Let me actually do--if you wouldn't mind,  
23 I would like to read one more paragraph, because it's  
24 useful.

25 MR. WITTMANN: Of course. Go ahead.

1 MS. NULAND: Okay. The next paragraph:

2 "Even as we support the work of the new Anticorruption  
3 Commission and the recruitment of new prosecutors, we have  
4 urged Prosecutor General Shokin to empower deputy  
5 prosecutors, Sakvarelidze and Kasko, to implement reforms  
6 and bring to justice those who have violated the law,  
7 regardless of rank or status. We are prepared to partner  
8 with reformers within the PGO in the fight for  
9 anticorruption."

10 So again, a very calm and clear warning of what we are  
11 seeking in the PGO.

12 MR. WITTMANN: Understood. And from your perspective  
13 at that time, do you know why those prosecutors in the PGO  
14 took those steps that led to the closure of the UK case  
15 against Zlochevsky?

16 MS. NULAND: I cannot. I do not. There was press  
17 speculation that they were bribed by Zlochevsky. I can't  
18 speak to that.

19 MR. WITTMANN: Are you aware of any State Department  
20 officials specifically raising that concern about a bribe?

21 MS. NULAND: I have subsequently--I didn't  
22 contemporaneously know of this, but I've subsequently read  
23 public statements by George Kent that he raised that with  
24 Shokin.

25 MR. SCHRAM: Scott, we are tight on time today and you

1 guys are over your hour, so I would just ask that you wrap  
2 up quickly, please.

3 MR. WITTMANN: Sure. Thanks, Zack. Just one more  
4 question and then we'll hand the baton over. Ms. Nuland,  
5 were the views expressed by Ambassador Pyatt his personal  
6 beliefs or were these the views held by the State Department  
7 at the time?

8 MS. NULAND: An American ambassador does not give a  
9 public speech based on his personal beliefs. His speech  
10 would have been cleared by the interagency in Washington, so  
11 they were the views of the U.S. Government.

12 MR. WITTMANN: Thank you. Zack?

13 MR. SCHRAM: Ms. Nuland, would you like a break?  
14 Pardon me. Ambassador Nuland, would you like a break?

15 MS. NULAND: Why don't we take a quick one, five  
16 minutes. Is that all right? Great. Thank you.

17 MR. ROBERTS: Thank you.

18 [Recess.]

19 MR. SCHRAM: Ambassador Nuland, I think the majority  
20 got very close to the key question in their last hour, so  
21 I'd like to pick up where they left off.

22 MR. ROBERTS: Zack, before you do that I just realized  
23 I erred by not identifying two colleagues of mine that are  
24 also participating. Sheila Menz is participating virtually  
25 and Anya Olsen is here with me, participating. Sorry for

1 interrupting.

2 MR. SCHRAM: Thank you, Blake.

3 Ambassador Nuland, I'd like to pick up where the  
4 majority left off. I think they got very close to asking  
5 the key question. Was the U.S. Government's position  
6 advocating for the removal of Prosecutor General part of an  
7 effort to stop an investigation into Burisma?

8 MS. NULAND: Absolutely no. On the contrary. We were  
9 dissatisfied that past investigations of Burisma had not  
10 been brought to conclusion.

11 MR. SCHRAM: And when you say "we," who are you  
12 referring to?

13 MS. NULAND: The interagency community, I would say.

14 MR. SCHRAM: Was it your view at the time that the  
15 dismissal of Prosecutor General Shokin would protect  
16 Burisma?

17 MS. NULAND: I'm sorry. Can you repeat the question?

18 MR. SCHRAM: Was it your view at the time that the  
19 dismissal of Prosecutor General Shokin would somehow help  
20 protect Burisma?

21 MS. NULAND: No. It was our conclusion by then that,  
22 in fact, the dismissal of Prosecutor Shokin would be counter  
23 to Burisma's interests, because not only was he not pursuing  
24 the Burisma case, he was responsible for protecting those  
25 who had helped get the case dismissed.

1 MR. SCHRAM: Was the policy advocating for the  
2 dismissal of Prosecutor General Shokin formulated by Vice  
3 President Biden in an effort to assist his son?

4 MS. NULAND: It was not.

5 MR. SCHRAM: I'd like to turn to your background. The  
6 majority started with your background in the Obama  
7 administration, but I'm wondering if you could quickly walk  
8 through your career prior to the Obama administration.

9 MS. NULAND: Certainly. After graduating from college  
10 I worked on the Hill as a legislative assistant for a year.  
11 I joined the foreign service at age 23, in 1984, and then  
12 proceeded to have a standard foreign service career. I  
13 worked for five Presidents, from Ronald Reagan through  
14 President Obama, of both parties. I served overseas in  
15 China, in Mongolia, in Russia, and twice at NATO in  
16 Brussels. I've spent about two-thirds of my foreign service  
17 career in Washington, in a variety of positions, which we  
18 can go through if you'd like.

19 But just to say, we talked about my service in the  
20 Obama administration. In the George W. Bush administration  
21 I served as Deputy Chief of Mission at the U.S. mission to  
22 NATO, I served as Deputy National Security Advisor to Vice  
23 President Cheney, and I served as President George W. Bush's  
24 ambassador to NATO from 2005 to 2008.

25 Is that helpful?

1 MR. SCHRAM: Yes. Thank you. When you were confirmed  
2 as Assistant Secretary for European and Eurasian Affairs,  
3 did you have bipartisan support?

4 MS. NULAND: Yes, sir.

5 MR. SCHRAM: Do you remember the exact outcome, or  
6 something close to it?

7 MS. NULAND: I don't. I think it was a voice vote,  
8 wasn't it?

9 MR. SCHRAM: You covered your responsibilities as  
10 Assistant Secretary from 2013 to 2017, if I have the dates  
11 correct, and you mentioned that you managed diplomatic  
12 relations with 50 countries. Was that the number?

13 MS. NULAND: Yes.

14 MR. SCHRAM: And did that include relations with NATO?

15 MS. NULAND: Yes.

16 MR. SCHRAM: And the European Union?

17 MS. NULAND: Yes.

18 MR. SCHRAM: And the Organization for Security and  
19 Cooperation in Europe?

20 MS. NULAND: Yes.

21 MR. SCHRAM: Is it fair to say that you were one of the  
22 administration's lead policy experts on the region?

23 MS. NULAND: I certainly came to the job with two  
24 decades of experience working on Russia, Ukraine, Europe  
25 policy, arms control, economic support for reform, NATO

1 enlargement.

2 MR. SCHRAM: What are some of the achievements in your  
3 time as Assistant Secretary that you are most proud of?

4 MS. NULAND: I'm most proud of the fact that the United  
5 States and its allies thwarted Russian efforts to regain  
6 political, economic, and security control of Ukraine, that  
7 we stopped the advance of Russian-supported separatists who  
8 wanted to carve off even more of Ukraine, and might have  
9 attacked all the way to Kiev. I'm very proud of the work we  
10 did with Europeans to diversify supplies of energy away from  
11 Russia.

12 I'm proud of the efforts that we made in negotiations  
13 with the Europeans, and bilaterally with Russia, to try to  
14 de-escalate, and Ukrainians obviously, the conflict in  
15 Ukraine. I'm proud of the fact that Ukraine was stabilized.  
16 We also had an intensive round of negotiations in support of  
17 the UN peace process in Cyprus, and came very close to a  
18 deal there. And the United States helped broker a couple of  
19 important moments of political de-escalation in the Balkans  
20 as well in that period.

21 MR. SCHRAM: In the majority's round of questions you  
22 spent some time discussing the interagency process. Did the  
23 Vice President have a role, personally and directly, with  
24 respect to the interagency process regarding the development  
25 of Ukraine policy?

1 MS. NULAND: He had members of staff who participated  
2 at the appropriate levels throughout the interagency  
3 process, yes.

4 MR. SCHRAM: In the preliminary remarks, the majority  
5 said it was undisputed that the Vice President managed our  
6 foreign affairs in Ukraine. Is that an accurate assessment?

7 MS. NULAND: You know, all the United States foreign  
8 policy is made by the President with the support of his  
9 subordinates. In terms of managing day-to-day, no, I would  
10 not describe the Vice President's role that way.

11 MR. SCHRAM: As Assistant Secretary for European  
12 Affairs, was one of your responsibilities briefing Members  
13 of Congress and testifying in front of Congress?

14 MS. NULAND: Yes.

15 MR. SCHRAM: And in the Senate, what was the main  
16 committee of jurisdiction for your portfolio?

17 MS. NULAND: The Senate Foreign Relations Committee.

18 MR. SCHRAM: Was there a subcommittee with  
19 jurisdiction?

20 MS. NULAND: Yes. The European Subcommittee, which  
21 was, by 2015, chaired by Senator Johnson, and the Ranking  
22 Member was Senator Murphy.

23 I would ask--

24 MR. SCHRAM: Could you tell--

25 MR. SCHRAM: --I would say that if you--I'm sorry, to

1 volunteer. I would say that one of the other issues I was  
2 proud of during my tenure was strong bipartisan support for  
3 Ukraine policy across the Congress.

4 MR. SCHRAM: Did you testify in front of the European  
5 and Regional Security Cooperation Subcommittee about  
6 Ukraine?

7 MS. NULAND: Are you talking about the Subcommittee of  
8 SFRC or the OSCE committee?

9 MR. SCHRAM: SFRC.

10 MS. NULAND: Yes. I testified many times before full  
11 committee and subcommittee.

12 MR. SCHRAM: And did that include testifying in front  
13 of Chairman Johnson?

14 MS. NULAND: It did.

15 MR. SCHRAM: Did you also brief Senators and staff on  
16 U.S. interests and policies related to Ukraine?

17 MS. NULAND: I did.

18 MR. SCHRAM: Did that include briefing Senator Johnson  
19 and his staff?

20 MS. NULAND: Yes.

21 MR. SCHRAM: Did your testimony and briefings include  
22 the U.S. Government's position on reforming the Prosecutor  
23 General's Office in Ukraine?

24 MS. NULAND: It did if you go back and look at that  
25 October 2015 testimony, and again in March of 2016 I'm on

1 the public record. I'm quite confident that I also was  
2 ensuring that the key members of the committee, and  
3 particularly the members of the Ukraine caucus were kept up  
4 to speed on the third loan guarantee.

5 MR. SCHRAM: And we covered this in some detail in the  
6 last hours, but just if you could summarize it briefly.  
7 What was U.S. policy with respect to reforming the Office of  
8 Prosecutor General in Ukraine over the course of your tenure  
9 at Assistant Secretary?

10 MS. NULAND: We wanted to support the Ukrainians in  
11 their desire to have a clean, transparent, non-corrupt  
12 Prosecutor General's Office that would bring cases against  
13 past incidents of corruption and that would support the  
14 confidence of the Ukrainian people in judicial independence.

15 MR. SCHRAM: And that reform agenda came to include  
16 conditioning a loan guarantee on the removal of Prosecutor  
17 General Shokin. Correct?

18 MS. NULAND: Correct.

19 MR. SCHRAM: Was our reform agenda in Ukraine  
20 communicated to members of the Senate Foreign Relations  
21 Committee?

22 MS. NULAND: Yes.

23 MR. SCHRAM: And that would include Chairman Johnson?

24 MS. NULAND: Yes.

25 MR. SCHRAM: Was that policy supported by the Senate

1 Foreign Relations Committee?

2 MS. NULAND: It was, in large measure. We had one  
3 incidence of significant friction with the Committee, but it  
4 did not involve economic policy. It involved security  
5 policy. There was a bipartisan consensus that emerged, I  
6 would say, in 2014, and was persistently conveyed throughout  
7 the Obama tenure that we should be providing--the U.S.  
8 should be providing lethal security assistance to Ukraine.  
9 The President's policy was to stop short of lethal  
10 assistance.

11 But otherwise we had very, very strong support from the  
12 Committee, and, in fact, I believe--and from the Congress  
13 overall. We had a huge number of Senators, including  
14 Senator Johnson repeatedly, visit Ukraine to express their  
15 support during this period, work with Europeans at the  
16 Munich security conference and others opportunities, on  
17 Ukraine policy. We also--I can't remember where my train of  
18 thought was going. Anyway, you get the idea.

19 MR. SCHRAM: So you were speaking about congressional  
20 support for U.S. reform policy in Ukraine. So that would  
21 include the anticorruption efforts in Ukraine?

22 MS. NULAND: Absolutely. If anything, the Congress was  
23 pushing us to do more, faster, to help the Ukrainians clean  
24 up the judiciary.

25 MR. SCHRAM: And the Prosecutor General's Office

1 specifically?

2 MS. NULAND: Correct, and that's evidenced in the  
3 hearings that I did and that hearings that Secretary Kerry  
4 did in this period.

5 MR. SCHRAM: And that policy was--was that policy, in  
6 your view, also supported by Chairman Johnson at the time?

7 MS. NULAND: I have to say that I would have to go back  
8 in my records and look at notes of meetings with Senator  
9 Johnson, but he was a strong supporter, and a very important  
10 supporter in the Senate of overall U.S. policy towards  
11 Ukraine. He made a number of trips. I briefed him  
12 personally and made myself available to him and to his staff  
13 director for these issues, Lydia Westlake, whenever they  
14 needed. So yes, I was very grateful for his support at that  
15 time.

16 MR. SCHRAM: And the policy that Congress was so  
17 supportive of, by late 2015 and early 2016, that included  
18 conditioning a third loan guarantee to Ukraine on the  
19 removal of Prosecutor General Shokin. Correct?

20 MS. NULAND: I'm quite confident that the Congress was  
21 fully briefed on the conditionality at that point. I would  
22 note that there was a bipartisan letter sent to President  
23 Poroshenko in February of 2016, from members of the Senate  
24 Foreign Relations Committee, including both Democrats and  
25 Republicans, which Senator Johnson signed, which included a

1 reference to more anticorruption progress by the PGO.

2 MR. SCHRAM: Let's mark that letter as Exhibit A.

3 [Nuland Exhibit A was marked  
4 for identification.]

5 MR. SCHRAM: Is this the letter that you're referring  
6 to?

7 MS. NULAND: Yes. I think so. You'd have to scroll  
8 down to the--this is about after Obama--this is, yes. So  
9 yes.

10 MR. SCHRAM: As you mentioned--

11 MS. NULAND: It's like one, two, three, fourth  
12 paragraph, they very helpfully say--because this is before  
13 Shokin has actually tendered his resignation, so we're still  
14 pushing. "We similarly urge you to press ahead with urgent  
15 reforms to the Prosecutor General's Office and judiciary."

16 MR. SCHRAM: And you understood that to include the  
17 removal of Prosecutor General Shokin?

18 MS. NULAND: I don't know whether they were  
19 specifically referring to that, but it indicates that they  
20 shared the administration's concern that the PGO needed  
21 cleaning up.

22 MR. SCHRAM: And when did Mr. Shokin resign, to the  
23 best of your recollection?

24 MS. NULAND: So refresh my memory on this a bit. It  
25 seems to have been a little bit messy, but he resigns later

1 that month. But then resignations of senior officials under  
2 the Ukrainian constitution at this time had to be ratified  
3 by the Parliament, had to be accepted by the Parliament.  
4 And between the period that he tenders his resignation and  
5 when the Rada votes, he shows back up at the office a month  
6 later, claiming he was just on health leave. But then the  
7 Rada ultimately accepts his resignation. I believe it's in  
8 late March of '16. I can't quite recall.

9 MR. SCHRAM: Is it fair to say that this letter was  
10 roughly contemporaneous to, or just before the matters you  
11 just described, with respect to Prosecutor General Shokin  
12 and whether or not he would resign or be forced out?

13 MS. NULAND: Correct.

14 MR. SCHRAM: Marking as Exhibit B, an article published  
15 in The Hill on October 3, 2019, entitled "GOP Senator says  
16 he doesn't remember signing 2016 letter urging reform of  
17 Ukraine prosecutor's office."

18 [Nuland Exhibit B was marked  
19 for identification.]

20 MR. SCHRAM: I want to draw your attention to a quote  
21 in this article. It's covered slightly by the box.  
22 Starting at the bottom of the first page, "The whole world,  
23 by the way, including the Ukrainian caucus, which I signed  
24 the letter, the whole world felt that this Shokin wasn't  
25 doing a [good enough job] so we were saying, hey, you have

1 got to rid yourself of corruption." So that's a quote by  
2 Senator Johnson.

3 Is this consistent with your understanding of Senate  
4 support and the Ukrainian caucus's support for the Obama  
5 administration's reform agenda in Ukraine at that time?

6 MS. NULAND: Yes. And then I testify again in March  
7 2016, and there are a number of questions from both sides of  
8 the aisle still on how we're doing on justice reform in  
9 Ukraine.

10 MR. SCHRAM: So we've talked about the congressional  
11 support for the policy. What about international support?  
12 Was our anticorruption agenda in Ukraine supported by our  
13 international partners?

14 MS. NULAND: Yes. Throughout this period in Ukraine,  
15 we endeavored to work in lock step with all of our European  
16 and Asian allies on policy towards Ukraine, both the support  
17 for Ukrainian reform and the conditionality, but also  
18 support, security support for Ukraine in its war in Donbass.

19 So at every--I would say in every semester, so from  
20 January to summer, from summer to December, we would work  
21 with our European and Asian allied counterparts, the  
22 European Union. We would work with the International  
23 Monetary Fund and the World Bank to set the same  
24 conditionality for each of the organizations and regional  
25 entities' support for Ukraine against a very short list of

1 reform conditions and in an effort to keep them on task and  
2 keep them moving.

3       So with regard to the prosecutor general's office,  
4 throughout the fall of '15, it was the unified policy of all  
5 of us--United States government, International Monetary  
6 Fund, World Bank, European Union, Japan, Australia--that the  
7 PGO needed cleaning up.

8       MR. SCHRAM: Was there anything controversial about  
9 conditioning loan guarantees on anticorruption reforms at  
10 the PGO?

11       MS. NULAND: No. I think it would have been  
12 controversial if we hadn't conditioned use of the taxpayers'  
13 money against cleaning up of the justice sector.

14       MR. SCHRAM: In your view, did Chairman Johnson support  
15 conditionality on aid to Ukraine?

16       MS. NULAND: My recollection is that he was a strong  
17 supporter of conditionality throughout this period.

18       MR. SCHRAM: Are you aware that in a June 5th, 2014,  
19 Senate Foreign Relations Committee hearing, Senator Johnson  
20 stated, quote, If we have to tie aid or help to make sure  
21 that anticorruption laws are passed, I think we should do  
22 that?

23       MS. NULAND: I didn't recall that, but it's consistent  
24 with his general approach. He made clear to me throughout  
25 this that he was a fiscal hawk and didn't want U.S. taxpayer

1 money wasted.

2 MR. SCHRAM: Ambassador Nuland, Hunter Biden was  
3 pointed to the board of Burisma in May of 2014. From May of  
4 2014 until you left government in 2017, did Senator Johnson  
5 ever raise concerns to you, publicly or privately, about  
6 Burisma?

7 MS. NULAND: Not in my recollection.

8 MR. SCHRAM: Did he ever raise concerns to you publicly  
9 or privately about Mykola Zlochevsky, the principal owner of  
10 Burisma?

11 MS. NULAND: Not in my recollection.

12 MR. SCHRAM: From May of 2014 until you left government  
13 in 2017, did Senator Johnson ever raise concerns to you  
14 publicly or privately about Hunter Biden's position on the  
15 board of Burisma?

16 MS. NULAND: Not in my recollection.

17 MR. SCHRAM: Did he ever raise an issue about a  
18 potential conflict of interest that Hunter Biden's position  
19 on the board of Burisma might have on U.S. policies towards  
20 Ukraine?

21 MS. NULAND: No, not in my recollection.

22 MR. SCHRAM: During your appearances in front of the  
23 Senate Foreign Relations Committee or its subcommittees, did  
24 any member ever raise concerns about a potential conflict of  
25 interest because of Hunter Biden's position on the board of

1 Burisma?

2 MS. NULAND: No.

3 MR. SCHRAM: In your view, did a conflict of interest  
4 related to Hunter Biden's role on the board of Burisma  
5 impact your ability to pursue an anticorruption agenda in  
6 Ukraine?

7 MS. NULAND: It did not impact policy at all. On the  
8 contrary, the policy that we were pursuing was, if anything,  
9 counter to Burisma's interests because it had been protected  
10 by Shokin.

11 MR. SCHRAM: When did you become aware of Senator  
12 Johnson's concerns about Hunter Biden's role on the board of  
13 Burisma?

14 MS. NULAND: Well after the Obama administration was  
15 over and I had left government. I can't be sure precisely.  
16 At least it wouldn't have been earlier than 2018, I don't  
17 believe.

18 MR. SCHRAM: Ambassador Nuland, in the chairman's open  
19 letter of August 10th, he wrote, "Many in the media in an  
20 ongoing attempt to provide cover for former Vice President  
21 Biden continue to repeat the mantra that there is no  
22 evidence of wrongdoing or illegal activity related to Hunter  
23 Biden's position on Burisma's board. I could not disagree  
24 more," end quote.

25 Are you aware of any evidence of wrongdoing or illegal

1 activity by Vice President Biden related to Hunter Biden's  
2 position on the board of Burisma?

3 MS. NULAND: I am not.

4 MR. SCHRAM: Knowing what you know about Vice President  
5 Biden and the development and execution of our foreign  
6 policy in Ukraine, do you regard that claim as credible?

7 MS. NULAND: I'm not a lawyer. I'm not in a position  
8 to evaluate legality or legitimacy with regard to conflict of  
9 interest at that period.

10 I would simply say that I was proud to work with Vice  
11 President Biden on Ukraine policy and especially on trying  
12 to help the Ukrainian people root out corruption in their  
13 country. He was a warrior on these subjects, and I never  
14 saw any influence on policy as a result of Hunter Biden's  
15 board seat.

16 MR. SCHRAM: Was the foreign policy that Vice President  
17 Biden pursued in Ukraine intended to advance the interests  
18 of the United States of America?

19 MS. NULAND: It was.

20 MR. SCHRAM: Are narratives that suggest otherwise  
21 false?

22 MS. NULAND: I don't support narratives that suggest  
23 otherwise.

24 MR. SCHRAM: Was the foreign policy pursued by Vice  
25 President Biden in Ukraine corrupt?

1 MS. NULAND: It was not, in my view. On the contrary.

2 MR. SCHRAM: Did Vice President Biden alter United  
3 States government foreign policy concerning Ukraine in order  
4 to assist Burisma or his son?

5 MS. NULAND: I never saw any evidence of that.

6 MR. SCHRAM: Did you witness any efforts by any U.S.  
7 official to shield Burisma from scrutiny?

8 MS. NULAND: No. On the contrary, the actions that we  
9 were recommending would have been counter to Burisma's  
10 interests.

11 MR. SCHRAM: And, again, was the policy advocating for  
12 the dismissal of Prosecutor General Shokin formulated by  
13 Vice President Biden in an effort to assist his son?

14 MS. NULAND: It was not.

15 MR. SCHRAM: Your testimony, which is consistent with  
16 all of the available evidence that I've reviewed, at the  
17 narrative that Vice President Biden intervened in our  
18 foreign policy to benefit his son is false. Let's spend  
19 sometime exploring the origin and purpose of that narrative.

20 As part of your responsibility for U.S. policy in  
21 Europe, were you aware of Russian disinformation efforts in  
22 the region?

23 MS. NULAND: I was as well as Russian disinformation  
24 efforts in the United States.

25 MR. SCHRAM: Can you speak generally to Russian malign

1 influence methods and objectives in the region?

2 MS. NULAND: So Russia sought to undercut Ukraine's  
3 effort to associate with Europe to break free of security,  
4 economic, and political influence from Moscow. It sought to  
5 keep Ukraine, at best, in Moscow's orbit, at worst, you  
6 know, confused, chaotic, impoverished, et cetera. And the  
7 Russians deployed pretty well every tool in their arsenal  
8 from "Little Green Men" security support provision of  
9 weapons in Eastern Ukraine, the seizing of Crimea, to  
10 corrupt practices vis-à-vis time to buy members of  
11 Parliament, buy members of the economic elite, have  
12 influence inside Ukraine, stymie reform in the Parliament,  
13 spread false narratives within Ukraine, Moldova, Georgia.  
14 We could go on for a long time, Zack, on this subject, if  
15 you'd like.

16 MR. SCHRAM: And you have some direct personal  
17 experience of their malign influence efforts, correct?

18 MS. NULAND: I am. I do. David Danger, the  
19 journalist, declared me patient zero in the Russian hack and  
20 release strategy that became obvious in 2014. They put on  
21 the street a phone call between me and Ambassador Pyatt in  
22 February where I, much to the chagrin of my mother and  
23 others, used a barnyard epithet with regard to a sister  
24 entity.

25 MR. SCHRAM: And what was the consequence of that

1 release, that release of a recording, the conversation you  
2 had with the ambassador?

3 MS. NULAND: It was designed to sow doubts about our--  
4 about my, at least, motives and intent, credibility,  
5 legitimacy as an advocate for U.S. policy, as a partner with  
6 Europe, as a partner with the Ukrainian reformers, to  
7 undercut my effectiveness. I had to--and appropriately--  
8 publicly apologize to individual European leaders, to the  
9 European Union, to the Ukrainian opposition. I even wore a  
10 button for a while that said "I Love the EU."

11 But over time, it did not--largely because I was  
12 gratified to retain the support of the President, the Vice  
13 President Biden, and Secretary Kerry, ultimately it did not  
14 undercut my effectiveness and may even have helped.

15 MR. SCHRAM: Did you regard it as an attack by Russia  
16 no American interests?

17 MS. NULAND: Yes. Certainly on me.

18 MR. SCHRAM: And as patient zero in hack and release,  
19 as you described it, was that demonstrating a capability of  
20 attacking American national security interests in the  
21 region?

22 MS. NULAND: Yes.

23 MR. SCHRAM: Are you familiar with the August 7th  
24 assessment released by director of National  
25 Counterintelligence and Security Center, William Evanina

1 that, quote, Russia is using a range of measures to  
2 primarily denigrate former Vice President Biden. For  
3 example, pro-Russian Ukrainian Parliamentarian Andrii  
4 Derkach is spreading false--pardon me--is spreading claims  
5 about corruption, including through publicizing leaked phone  
6 calls, to undermine former Vice President Biden's candidacy  
7 and the Democratic Party?

8 MS. NULAND: I am familiar with that assessment.

9 MR. SCHRAM: Who is Andrii Derkach?

10 MS. NULAND: Andrii Derkach, I believe he's still a  
11 member of the Ukrainian party, the Ukrainian Rada, from the  
12 Party of Regions, the pro-Russian party.

13 He's also alleged to have ties to Russian intelligence.  
14 I'm not in a position to assess that myself.

15 MR. SCHRAM: Is it fair to say he's a supporter of pro-  
16 Russian interests in Ukraine?

17 MS. NULAND: As a member of the Party of Regions, yes.

18 MR. SCHRAM: I'm going to walk you through a timeline  
19 of correspondence and events, and I'll draw your attention  
20 to the relevant portions of that correspondence. My  
21 questions will be at the end.

22 Marking as Exhibit C, a November 18, 2019, letter form  
23 Chairman Johnson to Congressman Jordon and Congressman Nunes  
24 related to the impeachment proceedings.

25 [Nuland Exhibit C was marked

1 for identification.]

2 MR. SCHRAM: On page 9, at the bottom of page 9,  
3 Chairman Johnson writes--this is the second sentence of the  
4 last full paragraph--The release of transcripts of  
5 discussions between the President of the United States and  
6 another world leader sets a terrible precedent that will  
7 deter and limit candid conversations between the President  
8 and world leaders from now on.

9 Marking as Exhibit D is an April 30, 2020, letter from  
10 Chairman Johnson and Chairman Grassley to Secretary Pompeo.

11 We'll pause for a moment while we pull it up.

12 [Nuland Exhibit D was marked  
13 for identification.]

14 MR. ROBERTS: Zack, what was the date on that again?

15 MR. SCHRAM: April 30th, 2020.

16 [Pause.]

17 MS. NULAND: Do you want to just read it to us?

18 MR. SCHRAM: Are we having a technical difficulty, Roy?

19 MS. NULAND: We can't see it.

20 MR. SCHRAM: Give us just a moment.

21 MS. NULAND: Here we go.

22 MR. SCHRAM: The second request, all records including  
23 call transcripts and summaries related to then Vice  
24 President Biden's phone calls with then president of Ukraine  
25 Petro Poroshenko, from March 2015 through April 2016,

1 especially with regard to any mention of the Ukrainian  
2 prosecutor general's investigation of Burisma or Viktor  
3 Shokin. I would note that this letter provides a response  
4 date of May 15th, 2020.

5       On May 13th, 2020, Chairman Johnson provided notice of  
6 a committee business meeting to authorize the subpoena of  
7 Blue Star Strategies of what to be held on May 20th, 2020.  
8 That subpoena included a request for records that the  
9 chairman--included some records that the chairman first  
10 sought to obtain from the Ukrainian operative named Andrii  
11 Telizhenko. The chairman had previously pulled down a  
12 scheduled committee vote on a subpoena of Andrii Telizhenko  
13 due to bipartisan concern about Russian disinformation  
14 efforts.

15       On May 19, 2020, hours before the vote on the Blue Star  
16 subpoena, Mr. Derkach released excerpts of alleged tapes of  
17 conversations between Vice President Biden and Ukrainian  
18 Poroshenko, including some calls that were responsive to the  
19 chairman's request, the Secretary of State.

20       In other words, although Secretary Pompeo did not  
21 answer this mail in time, Andrii Derkach did.

22       On the same day, Andrii Telizhenko released a  
23 transcript from a call between then former Vice President  
24 Biden and President Poroshenko.

25       At the May 20th markup, Senator Peters made a motion to

1 table consideration of a subpoena until committee members  
2 received briefings related to this investigation from the  
3 FBI and the intelligence community. The chairman voted  
4 against that motion, and it failed on a party-line vote.

5       Ambassador Nuland, in your view, at the actions of Mr.  
6 Derkach and Mr. Telizhenko consistent with Russian malign  
7 influence operations?

8       MS. NULAND: I'm not in a position without access to  
9 classified or intelligence briefings to evaluate the length  
10 between these individuals and the Russian Federation.

11       I would simply note that any unauthorized release of  
12 presidential phone calls is counter to the interests of  
13 Ukraine or to the interests of the United States, no matter  
14 who is in office. And certainly would be consistent with  
15 tradecraft we've seen from Russia in other instances.

16       MR. SCHRAM: Would you regard it as a cause for concern  
17 if Ukrainian actors, including a KGB-linked parliamentarian  
18 assessed by the Office of the Director of National  
19 Intelligence, to be advancing a Russian attack on our  
20 election, timed the release of records of Vice President  
21 Biden and President Poroshenko to influence a committee  
22 vote?

23       MS. NULAND: Any efforts by outside actors to influence  
24 U.S. politics or U.S. elections is deleterious to the U.S.  
25 national interests and ought to be both investigated and

1 responded to.

2 MR. SCHRAM: Marking as Exhibit E, an open letter from  
3 the Ukrainian-American Strategic Partnership, published on  
4 May 23, 2020.

5 [Nuland Exhibit E was marked  
6 for identification.]

7 MR. SCHRAM: Ambassador Nuland, are you familiar with  
8 the Ukrainian-American Strategic Partnership?

9 MS. NULAND: I have to say, Zack, I am not. I'm  
10 familiar with many of the names at the bottom of this  
11 letter.

12 MR. SCHRAM: Are there any that you would like to draw  
13 to our attention?

14 MS. NULAND: Let me read the statement, if I may.

15 MR. SCHRAM: Sure thing.

16 [Pause.]

17 MS. NULAND: Yes. I would draw your attention to the  
18 former Prime Minister of Ukraine, the first name Arseniy,  
19 Yatsenyuk, somebody with whom we all worked very closely.  
20 Oleksandr Turchynov, Speaker of the Rada right after Maidan  
21 and a hero of the Maidan, as well as Ivanna Klympush-  
22 Tsintsadze, who is chair of the parliamentary committee on  
23 European Union, and with whom we worked closely on sanctions  
24 policy towards Russia. Valeriy Chaly, the former  
25 ambassador. Hannah Hopko, very strong anticorruption

1 advocate and chairwoman of the parliamentary committee on  
2 foreign affairs of the Rada. I could go on and on.

3 MR. SCHRAM: The individuals that you mentioned, do  
4 they represent pro-Western interests in Ukraine?

5 MS. NULAND: Those I know on this list do.

6 MR. SCHRAM: Drawing your attention to the body of the  
7 letter, the central paragraph which starts, "We call on  
8 American leaders to distinguish between the position of new  
9 Ukraine, which stands for the unity of the West and acts to  
10 unite democracies around the world with those forces to seek  
11 to turn the political developments in our country into a  
12 toxic narrative to sow discord among our partners. We  
13 oppose the dishonest attempts to use the political  
14 controversies in the United States. We do not choose any  
15 side but support each of them in the same way that they  
16 together help Ukraine's independence."

17 I would note that this letter indicates it was signed  
18 starting on May 22, two days after our vote to authorize a  
19 subpoena of Blue Star, three days after the release of the  
20 recordings and transcripts that we've been discussing.

21 Do you agree with the concerns that they address in  
22 this letter?

23 MS. NULAND: I have been concerned about the  
24 politicization of Ukraine policy in the United States for  
25 more than three years now. It is in America's national

1 security interest, no matter which party is in power, in the  
2 Executive or in the legislature, that Ukraine succeed as an  
3 increasingly clean, democratic European state, independent  
4 of the influence or malign activities of Moscow. That ought  
5 to be the subject of bipartisan consensus in the United  
6 States, and I really hate to see Ukraine policy used as a  
7 football in our own debates with each other.

8 MR. SCHRAM: Is it in the United States' national  
9 interest to promote the false narrative that the Obama  
10 administration policy in Ukraine was corrupt?

11 MS. NULAND: Again, I don't want to pick and choose  
12 which aspect of perverting Ukraine policy for U.S. political  
13 gain is unacceptable. I think they're all unacceptable.

14 MR. SCHRAM: Joe, noting that it's 11:45, and that we  
15 will expect equal time after our next round, I'll wrap now,  
16 with the expectation that we be provided equal time when  
17 you're done with your next round.

18 MR. DOWNEY: Hi, Ms. Nuland. My name is Brian Downey  
19 with Chairman Johnson's office. We're going to enter into  
20 the record Exhibit 1, which is Ambassador Pyatt's September  
21 24, 2015, remarks in Odessa.

22 [Nuland Exhibit No. 1 was  
23 marked for identification.]

24 MR. THOMAS: I'm sorry to interrupt. This is Ken  
25 Thomas at the State Department. Is there going to be a

1 break at this point?

2 MR. DOWNEY: We are going to go ahead.

3 MR. THOMAS: Okay. That's fine. I just want to, at  
4 this juncture then, make a couple of notations for the  
5 record.

6 MR. DOWNEY: Go ahead.

7 MR. THOMAS: The Department of State has not, pursuant  
8 to this administration's instructions, provided any material  
9 to the Committee, that is in the hands of the Department,  
10 that is potentially covered by presidential communications  
11 privileges, and until there is a change in administration  
12 instruction we will not do so. I also note that in the  
13 session before, Mr. Schram concluded there were discussions  
14 relating to Vice President Biden. The administration's  
15 position is that we are not asserting privileges but we are  
16 not waiving privileges, and that privileges related to those  
17 communications have to be asserted by a representative of  
18 President Obama, and that that representative is aware of  
19 this investigation. But I note there is no such  
20 representative on this call, and so I would--I won't say  
21 "caution," but I would remind people that when they are  
22 asking about those things we are not in a position to assert  
23 or waive privilege. It should be heard through the forum of  
24 a President's representative.

25 MR. DOWNEY: Thank you, Ken, for those comments.

1 MR. ROBERTS: Brian, before you start, this is Blake.  
2 I realize I made a misstatement previously in connection  
3 with the exhibits. You all had indicated that there was a  
4 news article concerning the speech that you wanted to use as  
5 an exhibit. We just had a copy of the speech right nearby  
6 it, and I misspoke. You all had not identified that copy of  
7 the speech as something that you planned to use as an  
8 exhibit, but hopefully the actual underlying source material  
9 is not a concern. Apologies for that.

10 MR. DOWNEY: No problem. We're going to go to Exhibit  
11 2, which is a December 2019--or November 2019 New York Times  
12 article.

13 [Nuland Exhibit No. 2 was  
14 marked for identification.]

15 MR. ROBERTS: Brian, I'm sorry. Did we actually get  
16 Exhibit 1 into the record? I think you were interrupted by  
17 Ken. I'm not sure you did.

18 MR. DOWNEY: No, I think we got it into the record.

19 MR. ROBERTS: Okay. Great.

20 MS. NULAND: What's the year of this exhibit?

21 MR. DOWNEY: Ms. Nuland, this is a November 2019 New  
22 York Times article, and we can have someone scroll up to  
23 show you the title of this.

24 MR. ROBERTS: Yeah, and Brian, are you using the  
25 version that was available at the link that Joe had sent us

1 last night? It was updated--yeah, there you go--updated  
2 March 6, 2020. So you're referring to whatever version is  
3 publicly available right now that was updated. Correct?

4 MR. DOWNEY: That's correct.

5 So if we could turn to page 5 of this news story, so  
6 according to this article, Vice President Biden flew to  
7 Ukraine to deliver an anticorruption speech to Ukraine's  
8 parliament, and several aides recalled a surreal split  
9 screen of activity on board. As Mr. Biden's team focused  
10 mostly on the speech, he urged them to make it tougher but  
11 peeled off for intermittent huddles on how to handle the  
12 Hunter story. Mr. Biden dismissed the story as a  
13 distraction and did not engage. The group defaulted to the  
14 pushback plan used the year before when the story had first  
15 emerged, issuing a statement that Hunter Biden was a private  
16 citizen and a lawyer.

17 Ms. Nuland, did you travel with Vice President Biden to  
18 Ukraine in December of 2015?

19 MS. NULAND: I met Vice President Biden in Ukraine for  
20 that visit. I did not travel on Air Force Two. I had been,  
21 that week, with Secretary Kerry at NATO, in Kosovo and  
22 Serbia, in Cyprus and Greece, and I arrived in Ukraine just  
23 ahead of the Vice President for his visit.

24 MR. DOWNEY: So during that time, in December of 2015,  
25 there's obviously news inquiries regarding Hunter Biden's

1 membership on Burisma's board. Do you remember discussions  
2 with other vice presidential staffers about what occurred on  
3 the flight over to Ukraine in December of 2015?

4 MS. NULAND: So I was on an email chain with regard to  
5 the press guidance, and I remember discussing, not with the  
6 Vice President's staff but with Amos Hochstein, sometime  
7 just before the trip or when I was on the road in that week--  
8 -I'm frankly not sure--that a New York Times reporter was  
9 reopening, or opening this question and that we might get it  
10 as a question to the Vice President during the trip. And  
11 then I saw my own staff was involved in the press guidance  
12 process, and I had a watching brief over it from the road.

13 MR. DOWNEY: Did you have a reaction to these inquiries  
14 regarding Hunter Biden on Burisma's board? Did you offer  
15 any advice to your team on how State Department should  
16 respond to such inquiries by the press?

17 MS. NULAND: We, in the documents that were shared with  
18 you and shared with me, there's an indication that I made  
19 clear to my staff that OVP thought this was old news and  
20 that Amos Hochstein could give them the back story. I did  
21 not comment on the press guidance per se. I don't appear to  
22 have commented on it.

23 MR. DOWNEY: Okay. Thank you. I'm going to turn the  
24 questioning over to Chairman Grassley's staff, Josh Flynn--  
25 Brown.

1 MR. FLYNN-BROWN: Ms. Nuland, can you hear me okay?

2 MS. NULAND: I can.

3 MR. FLYNN-BROWN: What kind of relationship did the  
4 Ukrainian government have with the natural gas sector?

5 MS. NULAND: What kind of relationship did the  
6 Ukrainian government have with the natural gas sector? So  
7 energy overall was a fraught subject in Ukraine from the  
8 moment of independence from the Soviet Union in 1991, all  
9 the way through this period, and to this day, because they  
10 are energy dependent on Russia, and the vast majority of  
11 their gas comes to them through Russia, which gives Russia  
12 the ability to turn on and off the spigot.

13 So when, in the context of the effort to associate with  
14 Europe, and then the Maidan controversy, and then Yanukovich  
15 fleeing the country, and the taking of Crimea, and the  
16 invasion of Donbass, relations between Ukraine and Russia  
17 cratered. There were deep concerns about another--there had  
18 been, in the past, cutoffs of gas from Russia to Ukraine,  
19 cold winter, et cetera. I could go on and on.

20 But anyway, protecting energy supplies, and  
21 particularly gas supplies, for the people of Ukraine, and  
22 protecting the income that Ukraine got in transit fees,  
23 because the pipelines from Russia to Europe went through  
24 Ukraine, was vitally important to the effectiveness of the  
25 Ukrainian state and their support for the population.

1 Does that answer your question?

2 MR. FLYNN-BROWN: Yes. Thank you. Was the Ukrainian  
3 government supported by corruption in the natural gas and  
4 energy sector?

5 MS. NULAND: Were they supportive of corruption?

6 MR. FLYNN-BROWN: Supported by corruption.

7 MS. NULAND: Supported by corruption?

8 MR. FLYNN-BROWN: Yes. I can restate the question in  
9 full if you would like.

10 MS. NULAND: Yes, please.

11 MR. FLYNN-BROWN: Was the Ukrainian government  
12 supported by corruption in the natural gas and energy  
13 sector?

14 MS. NULAND: Certainly in the Yanukovich era it was.  
15 One of the major lines of effort for the Poroshenko  
16 government and for international support of Ukraine during  
17 the period of the Poroshenko government was to try to break  
18 the corrupt hold that Russia and oligarchs in Ukraine had on  
19 the natural gas sector. It was a very complicated, and  
20 remains a very complicated unwinding.

21 MR. FLYNN-BROWN: What kind of relationship did Burisma  
22 have with the Ukrainian government?

23 MS. NULAND: I have no idea.

24 MR. FLYNN-BROWN: Did Burisma's economic importance or  
25 success benefit the Ukrainian government in any way?

1 MS. NULAND: I have to tell you that I had really very  
2 little knowledge of Burisma at all until it came up in the  
3 context of the continued corruption in the PGO.

4 MR. FLYNN-BROWN: Did the Ukrainian government have a  
5 strong interest in the United States taking a favorable  
6 position regarding Burisma?

7 MS. NULAND: I don't think so, but I have no idea.  
8 You'd have to ask them. It never came up in any  
9 conversation that I was party to between American officials  
10 and Ukrainian officials. The word "Burisma" never passed a  
11 Ukrainian's lips, to my knowledge, in any conversation I was  
12 in.

13 MR. FLYNN-BROWN: So this may answer my next question,  
14 but I'm going to go ahead and ask it for the record. To  
15 your knowledge, did the Ukrainian government or any  
16 Ukrainian political party express concerns about Burisma's  
17 reputation in the United States?

18 MS. NULAND: Not to me.

19 MR. FLYNN-BROWN: Are you aware of that being expressed  
20 to any of your colleagues?

21 MS. NULAND: Frankly, only later in the context of the  
22 lobbyists that they hired and the documents that I found in  
23 the record in preparation for this.

24 MR. FLYNN-BROWN: And you're referring to Blue Star  
25 Strategies. Is that correct?

1 MS. NULAND: Correct.

2 MR. FLYNN-BROWN: Do you know whether Burisma served as  
3 a vehicle to enrich Ukrainian government officials?

4 MS. NULAND: I do not.

5 MR. FLYNN-BROWN: Would it surprise you if it did?

6 MS. NULAND: In the Yanukovych period it would not  
7 surprise me. In the Poroshenko period, it would have been  
8 very disappointing but I just don't know.

9 MR. FLYNN-BROWN: Do you know whether Burisma served as  
10 a vehicle to enrich Ukrainian political parties?

11 MS. NULAND: I do not know.

12 MR. FLYNN-BROWN: Are you aware of whether or not  
13 Burisma and Zlochevsky took directions from Ukrainian  
14 government or any Ukrainian officials?

15 MS. NULAND: I am not aware.

16 MR. FLYNN-BROWN: Would it surprise you if they did?

17 MS. NULAND: In the Yanukovych era it would not have  
18 surprised me. I, again, if that was going on under  
19 Poroshenko it would have been quite disappointing. I was  
20 not aware of it.

21 MR. FLYNN-BROWN: And would you be surprised if it did  
22 happen in the Poroshenko era?

23 MS. NULAND: Again, it would not have been in keeping  
24 with the stated policy and other actions that I was aware of  
25 by the Poroshenko government to break oligarchic and

1 monopolistic control of the energy sector.

2 MR. FLYNN-BROWN: Are you aware of whether or not  
3 Burisma and Zlochevsky took directions from any political  
4 party?

5 MS. NULAND: I'm not aware.

6 MR. FLYNN-BROWN: Would it surprise you if they did  
7 take those directions?

8 MS. NULAND: Again, I had no knowledge of how the  
9 company operated.

10 MR. FLYNN-BROWN: Aside to owners and shareholders, who  
11 would benefit the most from improving Burisma's reputation  
12 in the United States?

13 MS. NULAND: Apart from the owners and shareholders?

14 MR. FLYNN-BROWN: Correct.

15 MS. NULAND: I have no idea.

16 MR. FLYNN-BROWN: Would the Ukrainian government  
17 benefit from improving Burisma's image?

18 MS. NULAND: The current Ukrainian government or  
19 Poroshenko's government? It was a private company. I don't  
20 think that they cared one way or the other.

21 MR. FLYNN-BROWN: Zlochevsky was a member of the Party  
22 of Regions; is that correct?

23 MS. NULAND: I don't know.

24 MR. FLYNN-BROWN: I may revisit some of these questions  
25 later, but my line of questioning is done at this point.

1 I'm going to hand it to Scott. Thank you, Ms. Nuland.

2 MS. NULAND: Thank you. Thank you.

3 MR. FLYNN-BROWN: Actually, we're going to hand it to  
4 Brian. Sorry for the confusion there. We are actually  
5 going to Scott. Thank you.

6 MR. WITTMANN: Thank you, Josh.

7 Ambassador Nuland, I'm going to turn to our next  
8 exhibit that we'll enter into the record as Exhibit No. 3.  
9 Tab 4, please, Will.

10 [Nuland Exhibit No. 3 was  
11 marked for identification.]

12 MR. WITTMANN: Ambassador Nuland, for you and your  
13 counsel, that's the exhibit that ends in Bates numbers 553  
14 to 57.

15 MR. ROBERTS: Scott, give me a minute, if you don't  
16 mind.

17 MR. WITTMANN: Sure. Just let me know when you're  
18 ready.

19 [Pause.]

20 MS. NULAND: Go ahead.

21 MR. WITTMANN: Thank you.

22 In this email that you can see on the screen--it's on  
23 the very first page--Ambassador Pyatt writes, "I assume all  
24 have the DOJ background on Zlochevsky." What was the DOJ  
25 background on Zlochevsky?

1 MS. NULAND: I wasn't aware of it until this email that  
2 DOJ was in it with the London court, but he goes on to say  
3 what it was in unclass version. Do you want me to read  
4 that, or do you want to read that?

5 MR. WITTMANN: The short unclass version is that the  
6 U.S. and UK were cooperating on a case? Is that what you're  
7 referring to?

8 MS. NULAND: Yes. Mm-hmm.

9 MR. WITTMANN: Do you know why DOJ created this  
10 background on Zlochevsky?

11 MS. NULAND: My understanding, but I only learned this  
12 later--is that some of the--the allegation was that some of  
13 the illegally gained assets were laundered through the  
14 United States, and therefore, the London court reached out  
15 to DOJ to help support the case. I obviously wouldn't have  
16 known that at the time and didn't, given that it was a  
17 matter of law enforcement.

18 But we only get involved in these things if there's a  
19 U.S. angle.

20 MR. WITTMANN: Understood.

21 I think you mentioned that it touched on the illegally  
22 gained assets belonging to Mr. Zlochevsky. Ambassador Pyatt  
23 wrote that he considered it to be corrupt assets. Did you  
24 share Ambassador Pyatt's view that Zlochevsky had corrupt  
25 assets?

1 MS. NULAND: Well, again, this had been the subject of  
2 a court case in London that was closed for lack of  
3 cooperation by Ukrainian authorities. So when I became  
4 aware of all of this, if there was enough evidence to win a  
5 case in London, then the case should have been pursued to  
6 the end, but it would not be for me to be judge and jury  
7 over Zlochevsky.

8 MR. WITTMANN: Did you discuss Mr. Zlochevsky with  
9 Ambassador Pyatt?

10 MS. NULAND: I don't recall doing so at that time.  
11 Obviously, you know, I saw the speech after he gave it.

12 MR. WITTMANN: Did you view Mr. Zlochevsky as an  
13 oligarch?

14 MS. NULAND: You know, again, to the degree to which I  
15 was thinking about him at all, I would say that among the  
16 oligarchic class in Ukraine, he was not a major figure. A  
17 wannabe oligarch maybe.

18 MR. WITTMANN: Do you know whether Ambassador Pyatt  
19 viewed Mr. Zlochevsky as an oligarch?

20 MS. NULAND: You'd have to ask Ambassador Pyatt.

21 MR. WITTMANN: I'm going to turn it over to my  
22 colleague, Mr. Downey.

23 MR. DOWNEY: Hi, Ms. Nuland.

24 We're going to go to Exhibit 4, and that will be Tab 4,  
25 Will.

1 [Nuland Exhibit No. 4 was  
2 marked for identification.]

3 MR. DOWNEY: And as we pull that up, on December 9th,  
4 2015, Vice President Biden gave a speech to Ukraine's Rada.  
5 I'm going to turn specifically to these remarks on page 5.

6 MR. ROBERTS: Sorry. Brian, what is Exhibit 4?

7 MS. NULAND: A Rada speech.

8 MR. DOWNEY: It's Vice President Biden's speech to  
9 Ukraine's Rada.

10 MS. NULAND: We're ready.

11 MR. DOWNEY: Just a little bit, Will. Okay.

12 So on page 5, in the paragraph that starts with "As the  
13 prime minister," Vice President Biden said senior elected  
14 officials have to remove all conflicts--

15 MS. NULAND: I'm sorry. What? I'm sorry. Which  
16 paragraph? Oh, "As the"--yeah. Okay. It's my page 6. "As  
17 the prime minister and president heard me say often"? No.

18 MR. DOWNEY: Yes. We're going to start--I'm going to  
19 quote something at the end of his speech--or end of that  
20 paragraph.

21 MS. NULAND: Got it. Got it.

22 MR. DOWNEY: Vice President Biden said senior elected  
23 officials have to remove all conflicts between their  
24 business interests and their government responsibilities.  
25 Every other democracy in the world, that system pertains.

1 Did you assist in preparing Vice President Biden's  
2 remarks to the Rada?

3 MS. NULAND: I did.

4 MR. DOWNEY: Did you work on this specific section of  
5 the speech?

6 MS. NULAND: I remember working on all of the speech.  
7 So I assume this section was part of it. I mean, I saw all  
8 the draft.

9 MR. DOWNEY: What was the purpose of Vice President  
10 Biden telling elected Ukrainian officials to remove all  
11 conflicts between their business interests and their  
12 government responsibilities?

13 MS. NULAND: Well, it was routine, both in the Soviet  
14 period and unfortunately in the post-Soviet period, in  
15 Ukraine for sitting elected officials to also keep their  
16 hand in business or get kickbacks from businesses and to  
17 legislate or conduct their executive branch duties  
18 accordingly. So he was reminding them that that was not  
19 consistent with democratic politics and rule of law in a  
20 European-style democracy for those who had accepted the  
21 people's trust themselves to be corrupt.

22 MR. DOWNEY: Was Hunter Biden's board position on  
23 Burisma consistent with Vice President Biden's message to  
24 the Rada?

25 MS. NULAND: Hunter Biden was not an elected official

1 in any country. He was a private citizen.

2 MR. DOWNEY: When working on this speech, was Hunter  
3 Biden's position on Burisma's board a factor in writing up  
4 this section about conflicts of interest?

5 MS. NULAND: I have no memory of Hunter Biden coming up  
6 at all except in the context of the press guidance.

7 MR. DOWNEY: Did the fact of Hunter Biden's position on  
8 Burisma's board undermine Vice President Biden's message on  
9 conflicts of interest?

10 MS. NULAND: Again, the policy that we were conducting  
11 and that Vice President Biden was representing here at that  
12 second highest level of governance in the United States was  
13 one of rooting out corruption completely, and in the case of  
14 the prosecutor general's office was inconsistent with the  
15 interest of Burisma itself, which had been protected as part  
16 of the corrupt system. So he was actually working against  
17 the interests of the company on which his son sat on the  
18 board.

19 MR. DOWNEY: That sounds fairly awkward.

20 MS. NULAND: It was consistent with his principled  
21 position that corruption had to be rooted out in Ukraine if  
22 it was going to survive in the European democracy.

23 MR. DOWNEY: But did you or other members of the State  
24 Department while formulating this speech to the Rada--did  
25 you think this was awkward that Hunter Biden served on a

1 corrupt company in Ukraine?

2 MS. NULAND: Again, he was a private citizen. He was  
3 not making policy, and not only was policy not affected by  
4 his board position, policy went against the interests of  
5 this company.

6 MR. DOWNEY: How do you think the Ukrainian members of  
7 Parliament, who I would assume knew that Hunter Biden served  
8 on Burisma's board--do they see this as fairly awkward?

9 MR. ROBERTS: Brian, are you asking her whether she  
10 observed something that gave her a basis to judge their  
11 reaction, or are you asking her to speculate as to their  
12 reaction?

13 MR. DOWNEY: Were you there when the speech was  
14 delivered by Vice President Biden?

15 MS. NULAND: I was. I was proud to be there.

16 MR. DOWNEY: Did you see any reaction to Vice President  
17 Biden's speech by members of the Rada?

18 MS. NULAND: Yes. The speech was very powerful and  
19 powerfully received by the Rada. There were two parts to  
20 the message if you read the entire speech.

21 I would say that they were largely chastened by how  
22 strong the Vice President's criticism was of how far Ukraine  
23 still had to go in terms of reform and anticorruption, and  
24 they were not expecting a speech that would be so hard  
25 hitting, especially because many in the Rada were still

1 practicing the old ways and knew he was speaking to them.

2 I would say they applauded more loudly for the anti-  
3 Russian parts of the speech and those that pledged to defend  
4 Ukraine security.

5 But this was essentially a speech on the reform side  
6 where the Vice President said, "We supported you for a long  
7 time. You've made some progress, but there's a huge amount  
8 more to do." And he intentionally did it in the Rada  
9 because they had responsibility for--they shared  
10 responsibility with the executive for getting the job done.

11 MR. DOWNEY: Ms. Nuland, do you believe Hunter Biden's  
12 role on Burisma's board was a conflict of interest?

13 MS. NULAND: Again, I'm not a lawyer. I was not privy  
14 to the standards of the White House at that time.

15 What I was concerned about was whether there was any  
16 impact on policy, and to my view, there was not only no  
17 impact on policy, but the Vice President championed policies  
18 that were not in Burisma's interest.

19 MR. DOWNEY: Did you raise concerns about potential  
20 conflicts of interest of Hunter Biden being on Burisma's  
21 board to anyone in the State Department?

22 MS. NULAND: I did not.

23 MR. DOWNEY: To the Office of Vice President?

24 MS. NULAND: I did not. That was being raised by  
25 others was my understanding.

1 MR. DOWNEY: Did you raise any concerns to members of  
2 the National Security Council?

3 MS. NULAND: I did not.

4 MR. DOWNEY: Going back to what you just said, who was  
5 raising concerns of conflicts of interest at the State  
6 Department?

7 MS. NULAND: My understanding was from him directly  
8 when I first learned about this that Amos Hochstein had had  
9 a conversation with the Vice President and his staff about  
10 this, and he also he also had another conversation on the  
11 plane ride to Ukraine for that December 2015 trip.

12 MR. DOWNEY: Do you know when mental health first  
13 raised concerns to Vice President Biden about Hunter being  
14 on Burisma's board?

15 MS. NULAND: I do not. You'll have to ask him that.  
16 My understanding from my memory was that it would have been  
17 in the fall of 2015, but I don't know when or if that's  
18 accurate.

19 MR. DOWNEY: So Hunter had already been on Burisma's  
20 board for over a year as he joined the board in April of  
21 2014, and you're saying Mr. Hochstein raised concerns to  
22 Vice President in the fall of 2015?

23 MS. NULAND: That's my recollection, but you'll need to  
24 ask Mr. Hochstein.

25 MR. DOWNEY: Thank you.

1 I'm going to turn it over to Mr. Wittmann for  
2 questioning. Thank you very much.

3 MS. NULAND: Hey, guys, can we have a coffee break?

4 MR. WITTMANN: Sure. How long would you like a break?

5 MS. NULAND: Two minutes. I just want to get a cup of  
6 coffee.

7 MR. WITTMANN: Absolutely. No problem.

8 MS. NULAND: Great.

9 [Recess.]

10 MR. WITTMANN: Ambassador Nuland, I want to go back to  
11 Exhibit No. 4, that will hopefully appear on your screen.  
12 It's the photograph that was right underneath the paragraph  
13 that Mr. Downey had referenced earlier. It begins with  
14 "Oligarchs and non-oligarchs must play by the same rules.  
15 They have to pay their taxes, settle their disputes in  
16 court, not by buying judges. That's basic. That's how  
17 nations succeed in the 21st century."

18 So my question is, by confronting oligarchs, would that  
19 send an anticorruption message?

20 MS. NULAND: That was the hope.

21 MR. WITTMANN: Thank you. I'm going to turn it back  
22 over to my colleague, Mr. Downey.

23 MR. DOWNEY: We're going to go to, I believe this is  
24 Exhibit 5. It will be Tab 8, Will.

25 [Nuland Exhibit No. 5 was

1 marked for identification.]

2 MR. DOWNEY: So on March 30, 2016, Ambassador Pyatt  
3 forwarded you a meeting request from Ms. Karen Tramontano of  
4 Blue Star Strategies that Ms. Tramontano had sent to Denis  
5 McDonough, President Obama's chief of staff. In Ambassador  
6 Pyatt's email he wrote, "So I see below Ukraine hired a new  
7 lobbying, the same firm that saw Kathy Novelli complaining  
8 about my pressure on the PGO's coverup of the disgraced  
9 Yanukovych-era environmental minister."

10 Ms. Nuland, who was the disgraced Yanukovych-era  
11 environmental minister?

12 MS. NULAND: I assume he's referring to Zlochevsky.

13 MR. DOWNEY: What did Mr. Pyatt mean when he wrote,  
14 "Ukraine hired a new lobbyist"?

15 MS. NULAND: Meaning that the government of Ukraine had  
16 hired a lobbyist in Washington. In this particular case, I  
17 think he's peeved that rather than going to government-to-  
18 government asking for meetings they were using their  
19 lobbyist, which is always sloppy trade practice.

20 MR. DOWNEY: And who was that lobbyist?

21 MS. NULAND: It looks, from this email, that it was  
22 Blue Star Strategies. So again, the Ukrainian government  
23 did not need to be spending money on a lobbyist in order to  
24 get this meeting.

25 MR. DOWNEY: Do you know who Kathy Novelli is, who

1 Ambassador Pyatt references in this email?

2 MS. NULAND: Yes. She was the Under Secretary for  
3 Economic Affairs at the State Department. I believe she has  
4 appeared before you.

5 MR. DOWNEY: Do you know why Blue Star was complaining  
6 to Kathy Novelli?

7 MS. NULAND: I don't know in this context, no.

8 MR. DOWNEY: What was Ambassador Pyatt's pressure on  
9 the PGO?

10 MS. NULAND: Well, we've already gone over this. You  
11 know, it was the speech that he gave in Odessa, where he  
12 complaints that they allowed the Zlochevsky case to be  
13 dismissed in the London court, by refusing to cooperate, and  
14 they never go back under Shokin to investigate their own  
15 house and figure out who was responsible for that happening.

16 MR. DOWNEY: What was Blue Star Strategies concern with  
17 this pressure by Ambassador Pyatt on the PGO?

18 MS. NULAND: I don't know. You'd have to ask them.

19 MR. DOWNEY: Does it seem to you that Blue Star  
20 Strategies has a different goal than Ambassador Pyatt's with  
21 regards to the PGO and their cases against Burisma?

22 MS. NULAND: You're asking me answer about the goals of  
23 Blue Star and the goals of Ambassador Pyatt. You'd have to  
24 talk to each of them about their goals.

25 MR. DOWNEY: Was Ms. Novelli aware of Ambassador

1 Pyatt's pressure on the PGO?

2 MS. NULAND: I don't know. You'll have to ask her.

3 MR. DOWNEY: Ms. Nuland, what was your awareness of Ms.  
4 Novelli speaking to Blue Star Strategies employees about  
5 Ambassador Pyatt?

6 MS. NULAND: I frankly didn't know that this meeting  
7 between her and Blue Star had even happened. I had no  
8 memory of it or recollection of it until we got to this  
9 whole procedure and I saw the documents.

10 MR. DOWNEY: We're going to go to Exhibit 6, which is  
11 Tab 9, Will.

12 [Nuland Exhibit No. 6 was  
13 marked for identification.]

14 MR. DOWNEY: And Exhibit 6 is a September 6, 2016,  
15 email by George Kent to Bridget Brink, Jorgan Andrews, and  
16 Maria Yovanovitch, with a subject line, "Bullying,  
17 threatening call by Blue Star's Sally Painter regarding  
18 Lutsenko." Although we do not have the full email chain  
19 available to us today, we can represent, for the record,  
20 that Ms. Nuland, you forwarded--that you were forwarded this  
21 email. Does this email look familiar?

22 MS. NULAND: I was forwarded it by whom? By Ambassador  
23 Yovanovitch?

24 MR. DOWNEY: I do not know, but we know that it was  
25 forwarded to you.

1 MS. NULAND: I believe this is an email that I saw when  
2 I reviewed classified documents that the State Department  
3 had given to you in the context of this inquiry.

4 MR. DOWNEY: Prior to receiving this email, were you  
5 aware of any effort by Blue Star to contact George Kent  
6 about one of their clients?

7 MS. NULAND: I was not.

8 MR. DOWNEY: Prior to receiving this September 6, 2016,  
9 email by George Kent, were you aware that according to Mr.  
10 Kent Blue Star Strategies had been arranging a trip to  
11 Washington for Prosecutor General Lutsenko to meet high  
12 levels of the Clinton campaign and attend other meetings?

13 MS. NULAND: I was not.

14 MR. DOWNEY: What was the State Department's view on  
15 private parties arranging a meeting like that?

16 MS. NULAND: It was always our view that meetings  
17 between government officials in a foreign country and  
18 government officials in the United States should be arranged  
19 between governments, but that meetings between foreign  
20 government officials and private citizens should be arranged  
21 either by their embassies or by other folks representing  
22 them.

23 MR. DOWNEY: So what do you think about this call  
24 summary that Mr. Kent emailed to Maria Yovanovitch and other  
25 members of the State Department?

1 MS. NULAND: I think he was mostly upset that Sally  
2 Painter appeared to have been rude to him, and he seems to  
3 have been somewhat intemperate back, which doesn't--yes.

4 MR. DOWNEY: Was, from your view of this email, the  
5 conversation between Mr. Kent and Ms. Painter of Blue Star  
6 Strategies about Prosecutor General Lutsenko scheduling a  
7 meeting to come to Washington, and Blue Star had been  
8 apparently arranging?

9 MS. NULAND: I'm sorry. Was there a question there?

10 MR. DOWNEY: What did you think the meat of the phone  
11 call between George Kent and Sally Painter was about?

12 MS. NULAND: Can I tell you, it's unlikely that I paid  
13 much attention to this email at the time.

14 MR. DOWNEY: Why is that?

15 MS. NULAND: Are you asking me now to analyze it, based  
16 on reading it?

17 MR. DOWNEY: Yes.

18 MS. NULAND: Let me just take another look at it.

19 MR. ROBERTS: Brian, obviously the exhibit kind of  
20 speaks for itself. Is there an ambiguity in this that  
21 you're looking for Ambassador Nuland to clarify, based on  
22 her State Department experience?

23 MR. DOWNEY: Was it out of the ordinary for a lobbying  
24 firm to arrange such a trip for Ukraine's Prosecutor General  
25 without the involvement of the State Department?

1 MS. NULAND: It would be out of the ordinary for a  
2 foreign government official, including the Prosecutor  
3 General, to be seeking government meetings through a  
4 lobbyist rather than through the Embassy. That's a bad  
5 idea. In terms of seeking outside meetings, you know, that  
6 can be done by their Embassy in Washington is the  
7 traditional way. You know, I think the notion that the  
8 government of Ukraine was spending money on lobbyists that  
9 it didn't need was probably irksome to Mr. Kent, but I  
10 frankly can't speak to that. He seems--as I read this,  
11 Sally Painter felt that George Kent had somehow maligned the  
12 firm and that they might lose the Ukrainians' business, and  
13 that was what was going on in that phone call. But I'm only  
14 surmising that from the reading.

15 MR. DOWNEY: On the second page of this exhibit, Mr.  
16 Kent wrote, "The presence of Hunter Biden on the Burisma  
17 board was very awkward for all U.S. officials pushing an  
18 anticorruption agenda in Ukraine." At this time, in  
19 September 2016, were you aware of other State Department  
20 officials sharing this same concern?

21 MS. NULAND: I was not. Again, the policy that we were  
22 conducting was, if anything, antithetical to Burisma's  
23 interests.

24 MR. DOWNEY: So if State Department officials felt this  
25 way, who should they have reported their concerns to?

1 MS. NULAND: They would have been welcome to report  
2 them to me. They did not.

3 MR. DOWNEY: George Kent did not raise concerns of  
4 conflicts of interest regarding Hunter Biden on Burisma's  
5 board to you?

6 MS. NULAND: He did not, in my memory.

7 MR. DOWNEY: As we discussed, Hunter Biden's position  
8 on Burisma's board received significant attention in  
9 December of 2015, exhibited by the press articles, but here,  
10 nine months later, the Deputy Chief of Mission, George Kent,  
11 is still describing it as very awkward for all U.S.  
12 officials pushing an anticorruption agenda in Ukraine. Did  
13 anything change?

14 MS. NULAND: What do you mean, did anything change?

15 MR. DOWNEY: So Shokin is now gone and Lutsenko is in,  
16 and it's still awkward, according to George Kent, that U.S.  
17 officials are pushing an anticorruption agenda while Hunter  
18 Biden serves on the board of Burisma. So has anything  
19 changed? Did Lutsenko go after Burisma?

20 MS. NULAND: To my knowledge, I frankly don't recall  
21 whether Lutsenko cleaned up the staff of the PGO. He may  
22 well have. I frankly don't recall. He did initiate some  
23 high-level cases, but I would say that, once again, this  
24 third effort at a Prosecutor General was not as successful  
25 as most Ukrainians would have liked either.

1 MR. DOWNEY: So did Lutsenko prosecute anyone connected  
2 to Burisma, or prosecute Zlochevsky?

3 MS. NULAND: I frankly don't know, Brian. I don't  
4 think so.

5 MR. DOWNEY: As the Assistant Secretary of the European  
6 Bureau, did you communicate or meet with officials on the  
7 National Security Council?

8 MS. NULAND: Of course.

9 MR. DOWNEY: What individuals of the NSC did you  
10 communicate with?

11 MS. NULAND: On what?

12 MR. DOWNEY: Regarding Ukraine.

13 MS. NULAND: A broad cross-section of National Security  
14 Council colleagues. Charlie Kupchan was my main  
15 counterpart. Celeste Wallander, who did Ukraine. The  
16 Deputy NSA, Avril Haynes. The National Security Advisor,  
17 Susan Rice. At various times we worked with the National  
18 Economic Council on pieces of policy that involved funding  
19 and reform. We often worked with other directorates in the  
20 NSC, the Asia Bureau, et cetera, who were trying to maintain  
21 unity with Asian allies. I could continue if you'd like,  
22 Executive Secretary in arranging meetings.

23 MR. DOWNEY: Do you know who made up Charlie Kupchan's  
24 team on the NSC?

25 MS. NULAND: I did. Can I make my brain remember? I

1 can't. Do you want to refresh my memory? And he had--you  
2 know, those positions tended to turn over every year,  
3 because they were detailed from other agencies, so different  
4 people were on his staff at different times.

5 MR. DOWNEY: Did you or your staff communicate or meet  
6 with Elisabeth Zentos on the NSC?

7 MS. NULAND: Of course. She had also been in the  
8 Embassy in Ukraine. She had been on my staff. She was a  
9 State Department detailee. I believe you've already spoken  
10 with her as well.

11 MR. DOWNEY: Same with Eric Ciaramello.

12 MS. NULAND: Yes.

13 MR. DOWNEY: Who, below Charlie Kupchan, ran--who was  
14 in charge of Ukraine policy under Charlie Kupchan?

15 MS. NULAND: Again, it varied at various times. Both  
16 were involved. Both Ciaramello and Zentos were involved at  
17 various times.

18 MR. DOWNEY: Were you aware of a Ukrainian delegation  
19 that included Ukraine's prosecutors and anticorruption  
20 officials meeting with U.S. officials, including the State  
21 Department officials, in January of 2016?

22 MS. NULAND: I'm not remembering that but it's highly  
23 possible. Again, I haven't had the opportunity to review  
24 all my records and calendars. Who did they meet with?

25 MR. DOWNEY: I believe they met with a couple of the

1 bureaus within the State Department, and they also met with  
2 officials at the NSC, the Department of Justice, and the  
3 Federal Bureau of Investigation.

4 MS. NULAND: And was this at the Lutsenko level or  
5 lower?

6 MR. DOWNEY: This occurred in January of 2016.

7 MS. NULAND: Oh, so--but Shokin didn't come then. It  
8 would have been his deputies?

9 MR. DOWNEY: We're still trying to figure that out.

10 I'm going to pause one second. Thank you.

11 [Pause.]

12 MR. DOWNEY: So according to White House visitor logs,  
13 on June 17, 2016, you met with Eric Ciaramello.

14 MS. NULAND: I'm sorry. January 16--January what?

15 MR. DOWNEY: June 17, 2016.

16 MS. NULAND: June 17, 2016.

17 MR. ROBERTS: Brian, do you have the White House  
18 visitor logs to use as an exhibit?

19 MR. DOWNEY: They are public documents. We can  
20 probably pull it. I don't have it on me right now.

21 MR. ROBERTS: Okay. I just want to understand if we're  
22 relying on your representation of what's in the logs or if  
23 you actually have them to show Ambassador Nuland, to refresh  
24 her recollection, or whatever you're trying to do.

25 MR. DOWNEY: Yeah, it's an Excel spreadsheet.

1 MS. NULAND: Again--

2 MR. DOWNEY: Go ahead.

3 MS. NULAND: Again, Brian, we would have to check  
4 against my calendars as well, because Eric was regularly the  
5 clearing authority to get me into the White House for  
6 interagency meetings on Ukraine or for meetings with foreign  
7 visitors who we were jointly meeting on the compound, or I  
8 may have been coming to see any number of NSC staffers,  
9 Ciaramello included.

10 MR. DOWNEY: So you--

11 MS. NULAND: It is unlikely that I went over there for  
12 a specific meeting only with Ciaramello. He would normally  
13 come to me.

14 MR. DOWNEY: So, yeah, and I apologize for not having  
15 the Excel spreadsheet to put in front of you. But I believe  
16 on June 17, 2016, according to those logs, yourself and  
17 Ambassador Pyatt met with Mr. Ciaramello. Does that ring  
18 any bells in your memory?

19 MS. NULAND: It does not. Again, if Pyatt and I were  
20 jointly going to the compound it's likely that we were going  
21 either for an interagency meeting or to see one of  
22 Ciaramello's bosses, and he was the clearing authority. If  
23 it were just him he would normally have come to us.

24 MR. ROBERTS: Yeah. Ambassador Nuland, maybe can you  
25 explain how it works for you to submit a request to visit

1 the White House, and then for the NSC staff to put you into  
2 the WAVE system? I think that might help explain, when you  
3 say he's the clearing person, what that means.

4 MS. NULAND: Yeah. So if you don't have a White House  
5 badge and you want to visit the compound as a government  
6 official, from another agency, whether it's for an  
7 interagency meeting, whether it's to join a meeting, when I  
8 would go brief the Vice President, for example, you have to  
9 be cleared onto the compound by a staff member with  
10 clearance authority. So every time I went to the White  
11 House, whether it was for a meeting with an individual or  
12 for an interagency meeting, I had to have a clearance. So  
13 when I talk about being the clearing authority, since he was  
14 the junior staffer on covering Ukraine, anything having to  
15 do with Ukraine he probably had to submit a request to let  
16 me onto the compound, which is why his name appears.

17 Does that make sense?

18 MR. DOWNEY: So to be clear, you never discussed  
19 Ukraine policy, the prosecutor general's office with Mr.  
20 Ciaramello?

21 MS. NULAND: Of course, I did. He was part of the  
22 interagency process. He was also on my negotiating team for  
23 the six, seven rounds of negotiations I did with the  
24 Russians on Donbass.

25 MR. DOWNEY: When were you made aware that the

1 condition of Shokin's removal would be met? What date?

2 MS. NULAND: I don't remember precisely, but as you can  
3 tell from the record, the Ukrainians did not move  
4 immediately. Shokin doesn't actually resign the first time  
5 until February 19th.

6 My memory of this refreshed by preparation for this  
7 session was that the Vice President Biden made another call  
8 to President Poroshenko around February 10th, 11th, and  
9 Poroshenko had yet to make the decision. And the decision  
10 was made thereafter.

11 MR. DOWNEY: Were you present for those phone calls  
12 between Vice President Biden and President Poroshenko?

13 MS. NULAND: I sometimes sat in with the Vice President  
14 at his office. I sometimes was connected by classified  
15 phone from my own office. I sometimes missed them because I  
16 was on the road. I frankly can't remember this one, one way  
17 or the other. We'd have to check my calendars.

18 MR. DOWNEY: Thank you.

19 What is the Kyiv task force?

20 MS. NULAND: I don't know. What's the context?

21 MR. DOWNEY: I don't know. That's why I asked you. It  
22 came up on some documents, and it might just be an email  
23 contact list of everyone who's involved at the Ukraine  
24 embassy.

25 MS. NULAND: You mean at our embassy?

1 MR. DOWNEY: I believe so.

2 Hold on just a second. Thank you.

3 MR. SCHRAM: Scott, Brian, just noting that we went off  
4 the record at 11:45, a little courtesy time, because  
5 Ambassador Nuland took a coffee break, but you're in your  
6 final minutes here.

7 [Pause.]

8 MR. DOWNEY: How often, Ms. Nuland, did you assess  
9 whether Mr. Shokin was making meaningful progress on  
10 anticorruption reforms?

11 MS. NULAND: Well, throughout that period where we were  
12 conditioning further assistance on progress in the PGO, I  
13 would say that as an interagency, certainly at the level  
14 below me, it was looked at on an every-other-week basis at  
15 my level. I would guess, although I'd have to look at my  
16 calendars in terms of when we had meetings, we were talking  
17 about it pretty consistently and evaluating it pretty  
18 consistently, so once every three weeks or so, September,  
19 October, November, heading towards the vice presidential  
20 trip.

21 MR. DOWNEY: So in December of 2015 when Vice President  
22 Biden traveled there and delivered his speech to the Rada,  
23 he also famously gave the ultimatum to Poroshenko that if  
24 you do not fire Shokin, you will not get the aid? Is that  
25 your recollection?

1 MS. NULAND: I've already spoken to that, right, in the  
2 previous round extensively?

3 MR. DOWNEY: Did he tell that to his staff or to you  
4 that he did that in December 2015?

5 MS. NULAND: Yes. He did it in the one-on-one session,  
6 which was done to allow Poroshenko to make his own decision,  
7 and then he debriefed that he had delivered the message, as  
8 I said earlier.

9 MR. DOWNEY: So we asked you about when--what date the  
10 determination was made that Shokin was not adhering to  
11 anticorruption reforms. Do you approximately know when this  
12 information was shared with Vice President Biden or his  
13 office?

14 MS. NULAND: Well, his office would have been involved  
15 throughout the policy effort as part of the interagency,  
16 right? They were represented on the sub-IPC, on the IPC as  
17 deputies.

18 Based on how we generally operated and how government  
19 usually operates in the foreign policy sphere, when you have  
20 a principal making a trip, it's a forcing function for  
21 deciding what the messages of the trip are going to be.

22 So I'm going to guess that in preparation for the trip,  
23 which would have been late November, we were deciding as an  
24 interagency what we thought the Vice President needed to  
25 achieve and could achieve by going to Ukraine. So I'm going

1 to guess that's when we made the turn, sometime in late  
2 November, but I don't know for sure. And I wouldn't know  
3 for sure unless I obtained the interagency records and my  
4 own emails at the time that we just didn't think Shokin was  
5 going to clean up his act.

6 And, again, we didn't make this decision. This was a  
7 decision we put to the Ukrainians. If you want more money  
8 from us, you need to clean this up.

9 MR. DOWNEY: I think earlier in your testimony, you  
10 discussed George Kent's knowledge of a bribe to Yarema's  
11 prosecutors that he learned of in February 2015.

12 MS. NULAND: I didn't mention that. The documents  
13 indicate that he asked Yarema or Yarema's people about that.  
14 I wasn't aware of that at the time. I'm not sure it was  
15 proven.

16 MR. DOWNEY: And when did you become aware of  
17 allegations that Yarema's prosecutors accepted bribes from  
18 Zlochevsky?

19 MS. NULAND: Frankly, I don't remember hearing about  
20 any of that until we got into the preparation for this  
21 process.

22 MR. DOWNEY: All right. Thank you.

23 Zack, if you have some questions, the floor is yours.

24 MR. SCHRAM: Sure thing.

25 Ambassador Nuland, I don't expect I'll take long, but

1 would you like a break as we're between rounds?

2 MS. NULAND: No. I think we're good. Thanks.

3 MR. SCHRAM: Ambassador Nuland, how much did Hunter  
4 Biden's interests impact your policy work at the State  
5 Department?

6 MS. NULAND: Zero.

7 MR. SCHRAM: You seem certain of that answer. How can  
8 you be so certain?

9 MS. NULAND: I never had any contact with him. I never  
10 even knew what he was up to until very late. The policy  
11 that we were conducting, as I had said again and again here,  
12 would have been counter to the interests of the company that  
13 he--on whose board he served. So his name never came up in  
14 any contact with Ukrainian or the interagency.

15 MR. SCHRAM: At the risk of making you repeat yourself,  
16 was the policy to condition a loan guarantee on the removal  
17 of Prosecutor General Shokin a U.S. government policy?

18 MS. NULAND: It was.

19 MR. SCHRAM: And that was developed through the  
20 interagency process?

21 MS. NULAND: It was.

22 MR. SCHRAM: It was supported by our international  
23 partners?

24 MS. NULAND: Very much so and the International  
25 Financial Institution.

1 MR. SCHRAM: Why was that policy communicated by Vice  
2 President Biden to President Poroshenko?

3 MS. NULAND: Because we had failed to get any action at  
4 lower levels of interaction with the Ukrainians.

5 Generally, we would push issues to Secretary Kerry,  
6 Vice President Biden, President Obama when we had failed to  
7 get action at our own level.

8 MR. SCHRAM: The Majority began their last hour of  
9 questioning discussing the December 2015 trip Vice President  
10 Biden made to Ukraine. You were also present on that trip,  
11 correct?

12 MS. NULAND: Correct.

13 MR. SCHRAM: In the Chairman's August 10th open letter,  
14 he asked, How could former Vice President Biden look any  
15 Ukrainian official or any world leader in the face and  
16 demand action to fight corruption?

17 Ambassador Nuland, were you present when Vice President  
18 Biden met with Ukrainian officials and discussed  
19 anticorruption reforms?

20 MS. NULAND: Yes. I was present in virtually all of  
21 his meetings with Ukrainian officials throughout the period,  
22 September 2013 to January 2017, with the exception of those  
23 one-on-one encounters.

24 MR. SCHRAM: Was Vice President Biden a credible  
25 spokesperson to demand anticorruption reforms?

1 MS. NULAND: The Ukrainians certainly thought he was.

2 MR. SCHRAM: Did you think he was?

3 MS. NULAND: I did.

4 MR. SCHRAM: You said the position to advocate for  
5 anticorruption reforms was part of his principled views.  
6 Can you explain what you meant?

7 MS. NULAND: Vice President beginning--during his  
8 tenure in the Senate and over my long government career, I  
9 first encountered him as a Senator. Of course, particularly  
10 during the period of NATO enlargement in the Clinton  
11 administration was when I first began watching him work.  
12 Going back at least that far, if not farther, he has been a  
13 champion of democratic reform, of breaking the Soviet and  
14 post-Soviet and Russian chokehold on third countries. He's  
15 been a champion of conditioning assistance on  
16 democratization on anticorruption, et cetera. He had--  
17 around the world as Vice President, he was pushing an  
18 anticorruption message in the interest of strengthening  
19 partners and allies and ensuring that their political and  
20 economic systems couldn't be corrupted from the outside  
21 because just to remind that authoritarian states used  
22 corruption as a tool of foreign influence, not just in the  
23 United States, but all around the world.

24 MR. SCHRAM: Who benefits from promoting the false  
25 narrative that Vice President Biden's actions in Ukraine

1 were corrupt?

2 MS. NULAND: Again, I'm not going to speculate as to  
3 who's trying to gain here. I'm simply telling you that as a  
4 lifetime career professional, I was proud to be associated  
5 with Vice President Biden's anticorruption campaign, not  
6 just in Ukraine, but around the world.

7 MR. SCHRAM: Do you have any reason to dispute the  
8 statement of the direct or National Intelligence that  
9 Russian-based Ukrainian actors are supporting these  
10 narratives?

11 MS. NULAND: I don't have any reason to dispute it, and  
12 it takes a lot, as you know, in our system for intelligence  
13 professionals to go public. The standard of evidence is  
14 pretty high.

15 MR. SCHRAM: And allegations of corruption by an  
16 American Vice President in Ukraine would benefit Russian  
17 interests in the region, correct?

18 MS. NULAND: Certainly.

19 MR. SCHRAM: You've been very generous with your time  
20 today and patient with our questions. Is there anything  
21 that you would like to add on the subjects that we've  
22 covered?

23 MS. NULAND: I don't think so, except to say, again,  
24 that I was very proud during my tenure to be part of a  
25 policy of protecting and defending and pushing a Ukraine

1 that wanted to be more European, more democratic, cleaner,  
2 and I was very proud that it was a policy that was supported  
3 in a very strong bipartisan way in the United States, and  
4 particularly in the House and in the Senate, I was very  
5 proud to work with Senator Johnson on these issues as well.

6 MR. SCHRAM: On behalf of Senator Peters and all of us  
7 on his staff, we're very grateful for your service to this  
8 country and for the many sacrifices that you've made in your  
9 career. And we appreciate your work, and we appreciate your  
10 time today.

11 MS. NULAND: Thank you.

12 MR. WITTMANN: Ambassador Nuland, we just have a few  
13 more questions before our time runs out.

14 You mentioned earlier, I believe--and feel free to  
15 correct me if I'm wrong--that Hunter Biden's position on the  
16 board of Burisma had no effect on U.S. policy; is that  
17 correct?

18 MS. NULAND: That's correct.

19 MR. WITTMANN: I'm sorry. We're having technical  
20 difficulties here.

21 Ambassador Nuland, I didn't hear your last response.  
22 Do you mind repeating?

23 MS. NULAND: That's correct.

24 MR. WITTMANN: So his position had no effect on U.S.  
25 policy, but at the same time, based on the previous document

1 we presented, the George Kent email, Mr. Kent mentioned that  
2 it created awkwardness for all U.S. officials pushing an  
3 anticorruption agenda.

4 So from your perspective, how can both be true?

5 MS. NULAND: You are giving back to me the personal  
6 opinion of George Kent, which I didn't share.

7 MR. WITTMANN: So from your perspective, you had never  
8 heard any of those types of concerns?

9 MS. NULAND: George Kent did not raise those concerns  
10 with me to my recollection.

11 MR. WITTMANN: Had you been made aware of those types  
12 of concerns, what would you have done?

13 MR. ROBERTS: Scott, are you asking her to engage in a  
14 hypothetical and speculate?

15 MR. WITTMANN: I'm just asking her information about  
16 from her position, her responsibilities, what she would have  
17 done.

18 MS. NULAND: I mean, again, it is a hypothetical  
19 question. It depends how the concerns were raised. I was  
20 always open to hearing the concerns of subordinates and  
21 trying to address them in an open and transparent manner.

22 MR. WITTMANN: What if you had been forwarded an email  
23 that had those concerns?

24 MS. NULAND: Again, clearly, way deep down in an email,  
25 late in 2016, there were those concerns, but they were not

1 brought to my specific attention by George Kent who is an  
2 old friend and had plenty of opportunity to do so, had he so  
3 wanted.

4 MR. WITTMANN: I want to introduce our final exhibit  
5 and mark it as Exhibit No. 7.

6 Tab 6, please. Will.

7 [Nuland Exhibit No. 7 was  
8 marked for identification.]

9 MR. WITTMANN: Ambassador Nuland, this is an exhibit  
10 that I believe you referenced earlier regarding the recent  
11 New York Times article. I want to turn to page--Bates No.  
12 61, and it goes on to 62. And just let me know when you're  
13 ready.

14 MS. NULAND: I'm ready.

15 MR. WITTMANN: You mention in this email chain that  
16 this is regarding the inquiry. It's an old story, Amos has  
17 more. What were you referring to when you said Amos has  
18 more?

19 MS. NULAND: So there had been press inquiries in the  
20 spring of 2014 when Hunter Biden first joined the Burisma  
21 board, which had been addressed from the White House podium  
22 by Jay Carney and had also been addressed by the Office of  
23 the Vice President Biden. So from that perspective, this  
24 was not the first time this had come up.

25 I frankly have no recollection of being aware of them

1 at the time. When I went back and looked at my calendars, I  
2 was on the road almost nonstop in 2014, spring, and also  
3 trying to work on ending the hot war in Eastern Ukraine.

4 So from the perspective of old story, meaning it's been  
5 asked and answered already from the White House, and I had  
6 understood in the context of getting ready for the trip from  
7 Amos that this reporter was asking them again, and that we  
8 were going to have to prepare press guidance again for the  
9 trip. So that's what my response refers to.

10 MR. WITTMANN: Just so I understand, Amos has more in  
11 terms of how to respond? Is that what you're saying?

12 MS. NULAND: I think he has more in terms of reminding  
13 my people that this was asked and answered in 2014. He has  
14 more in terms of how OVP is planning to prepare.

15 If you look at this email, my response appears to be--I  
16 don't think you have it here, but it's just like four  
17 o'clock in the morning, Washington. So I was on the road in  
18 Europe when I wrote this.

19 So I'm telling my people to talk to Amos to get the  
20 back story, including the fact that my press people  
21 shouldn't be trying to answer this question. It's a  
22 question to OVP.

23 I'm going to turn it over to my colleague, Joe.

24 MR. ROBERTS: Joe, are we--how much more do you have?  
25 We're past one.

1 MR. FOLIO: I just have one or two more questions, and  
2 then we can conclude today.

3 MR. ROBERTS: Okay. You're very garbled.

4 MR. FOLIO: Sorry. I had a problem with my microphone  
5 on my computer.

6 Ms. Nuland, just a few more questions. So my colleague  
7 asked about your testimony that Hunter Biden's position on  
8 the board had no effect on U.S. policy, and we just looked  
9 at another email where you and others were having to respond  
10 to a reporter and address these issues at the time, I think,  
11 the Vice President was traveling to Ukraine to make a speech  
12 on, among other topics, anticorruption.

13 So, again, how do you square that circle to say that it  
14 had no effect, but yet this is something that, you know,  
15 high-level officials, including officials in the Vice  
16 President's office, are exchanging emails about and trying  
17 to understand how to address and resolve these issues before  
18 an important speech before the Ukrainian Parliament?

19 MS. NULAND: Again, I think the press guidance speaks  
20 for the position of the government, which was that Hunter  
21 Biden was a private citizen. He was not a member of  
22 government. But as I've said repeatedly during this  
23 interview, if anything, part of the bill of indictments  
24 against Prosecutor General Shokin was that he was not  
25 pursuing the investigation of Burisma, on which Hunter Biden

1 was on the board, that he was not cleaning out his own staff  
2 of those who had protected Burisma in the past.

3         So the policy that we were conducting was antithetical  
4 to Burisma in trying to get rid of Shokin, who was  
5 protecting Burisma, and, therefore, the Vice President's  
6 actions in advocating for getting rid of Shokin one could  
7 argue were antithetical to the interests of his son as a  
8 board member. So that is the best evidence that there was  
9 no influence on policy.

10         MR. FOLIO: I understand that position, but I guess  
11 what I'm trying to understand is that you had, at this time,  
12 one and now two Prosecutor Generals who were not able to  
13 successfully move forward cases against Burisma. So  
14 although the message from the United States made it clear,  
15 I'm wondering how effective was that message, and could that  
16 message have been undermined by the fact that the Vice  
17 President's son sat on the board of the company against whom  
18 at least two Prosecutor Generals, if not three, seemed  
19 reluctant to bring cases against?

20         MS. NULAND: On the contrary. I think when you have  
21 the American ambassador to a country, confirmed by the U.S.  
22 Senate, make a speech saying that those who protected a  
23 company on which the Vice President's son serves on the  
24 board, should be fired, we are saying that nobody is immune,  
25 that no family relationship should protect you from

1 corruption. We say that first with Pyatt. We say it in my  
2 testimony. We say it when the Vice President goes to  
3 Ukraine.

4 So the message we were sending to Ukrainians is this  
5 may be how you do business. It's not how we do business. I  
6 hope it's not how we do business now.

7 MR. FOLIO: Did any Ukrainian officials raise with you  
8 the issue of Hunter Biden serving on Burisma's board?

9 MS. NULAND: No.

10 MR. FOLIO: Are you aware of any Ukrainian officials  
11 raising that matter with any other State Department official  
12 in your area?

13 MS. NULAND: I am not aware of that.

14 MR. FOLIO: So is it your testimony today that you did  
15 not witness any effect that Hunter Biden's position on the  
16 board had on the Ukrainian government?

17 MS. NULAND: I did not witness any impact. On the  
18 contrary, Ukrainians saw us going after a prosecutor that  
19 had protected the company on which the Vice President's son  
20 served on the board.

21 MR. FOLIO: And do you believe, from all of your  
22 knowledge and experience in working this issue, do you  
23 believe that the Ukrainians would have seen the Vice  
24 President's son on the board of Burisma and thought that it  
25 didn't matter?

1 MS. NULAND: I have no idea. You would have to talk to  
2 Ukrainians. I don't know what Ukrainians were even talking  
3 about. All I'm telling you is that the message we were  
4 sending was that Burisma should not have been protected, and  
5 those on the PGO who protected Burisma should be fired.

6 MR. FOLIO: I understand well the message that we were  
7 sending. What I'm trying to understand better is how that  
8 message was received. And I have to imagine that part of  
9 the responsibility is to engage, right, how messages are  
10 being received such that you can send the most effective  
11 messages possible.

12 So from that perspective, in that experience, was it  
13 your assessment that Hunter Biden's position had absolutely  
14 no effect on how the Ukrainians were viewing the seriousness  
15 of the anticorruption message being sent by the United  
16 States?

17 MR. ROBERTS: Joe, I think Ambassador Nuland has  
18 answered this. I think she said both that she saw no effect  
19 from Hunter Biden's position on the shaping of the policy  
20 that the United States was advocating for in Ukraine, and I  
21 think she's also testified that, if anything, Hunter's  
22 service on Burisma's board and the fact that notwithstanding  
23 that, United States officials were criticizing Ukrainian  
24 officials who protected the company, if anything bolstered  
25 the credibility of the message.

1           So I don't know what else you're asking for.

2           MR. FOLIO: I'm just asking for--

3           MS. NULAND: Put yourself in the shoes of a Ukrainian.  
4 You know, would President Poroshenko, or would any prior  
5 Ukrainian leader have gone public criticizing for corruption  
6 a company in which his son was involved? I don't think so.  
7 So to the extent that Ukrainians knew this connection, this  
8 was further bona fides for the Vice President that nobody  
9 was immune, including the company that his son was part of.

10          MR. FOLIO: My question is, I understand the U.S.  
11 message part. I want to understand your assessment, how  
12 that message was received by Ukrainians. And is it your  
13 testimony--

14          MS. NULAND: It was received by the Ukrainians that we  
15 were deadly serious about not putting more money into  
16 Ukraine until it cleaned up its justice system. It was  
17 coming from the top of the U.S. Government. It wasn't  
18 coming from me. It was coming from the top.

19          MR. FOLIO: And how did the Ukrainians view the fact  
20 that Hunter Biden was sitting on the board of Burisma? Did  
21 that undermine the message?

22          MS. NULAND: Again, you're asking me to get into the  
23 head of individual Ukrainians. I'm telling you how the  
24 message overall was received in Ukraine. I'm not sure what  
25 Ukrainians' brains you'd like me inside of, but it doesn't

1 sound like a place I can go.

2 MR. FOLIO: I'm just asking for your assessment, and if  
3 that's what you've already provided us then that's fine.

4 MS. NULAND: The assessment is that this move to  
5 withhold money because the PGO was still corrupt gave us  
6 extra credibility, extra legitimacy with the Ukrainian  
7 people that we were not going to stand by and pour U.S.  
8 taxpayer money into a system that was not reforming.

9 MR. FOLIO: So despite the fact that the U.S.  
10 Government had called across three different Prosecutor  
11 Generals for corruption, as represented by Mr. Zlochevsky,  
12 the head of Burisma, to prosecute it, was Burisma or Mr.  
13 Zlochevsky ever prosecuted?

14 MS. NULAND: I don't know the answer to that in the  
15 current period.

16 MR. FOLIO: During your--

17 MS. NULAND: I know that the case was moved after the  
18 establishment of the National Anticorruption Bureau, which  
19 was also a condition of lending by the international  
20 community and was finally stood up in '16. I know the case  
21 was moved to the NABU. I frankly don't know what they have  
22 done with it. I also know that it was very difficult for  
23 the NABU to make cases without the second piece that the  
24 international community was asking for, which was the  
25 establishment of an anticorruption prosecutor, because where

1 do you send the case? And that condition was only met in  
2 the last five months, I think.

3 MR. FOLIO: So with regard to your time as Assistant  
4 Secretary, it sounds like sitting here today you were not  
5 aware of any successful prosecution against Mr. Zlochevsky  
6 or Burisma.

7 MS. NULAND: Again, I have not gone back and reviewed,  
8 nor would I necessarily have been privy to all the law  
9 enforcement records on what may or may not have been done by  
10 Lutsenko, the successor, or the Zlochevsky-era Prosecutors  
11 General. So I really can't speak to it.

12 MR. FOLIO: Ms. Nuland, you have been very generous  
13 with your time. We appreciate you very much taking the time  
14 to speak with us. That's all the questions we have from the  
15 majority, and I think Zack was done as well. So unless  
16 there's anything from anyone else I want to thank you again  
17 for your time, and have a good day.

18 MS. NULAND: And thank you for the professional spirit  
19 of this, and give my best regards to your members as well.

20 MR. FOLIO: We will.

21 MS. NULAND: Thank you.

22 MR. ROBERTS: Thank you all.

23 MR. FOLIO: Great. Thank you.

24 MS. WESTLAKE: Thanks, Victoria.

25 [Whereupon, at 1:13 p.m., the interview was concluded.]

## Remarks by US Ambassador Geoffrey Pyatt at the Odesa Financial Forum on September 24, 2015

Good morning. Thank you, Andy, for your kind introduction. It is my pleasure to be here at the Odesa Financial Forum with such distinguished experts from across Ukraine. I welcome the leadership of the Association of Ukrainian Stock Traders and the Financial Markets Association of Ukraine for organizing this forum. Special thanks to the American Chamber of Commerce for its strong support.

Today's event is about highlighting the potential of the Odesa region and determining how you, business leaders and investors, can work to sustain progress. How you can demand that things get better, by insisting on accountability, transparency, and fair rules. Without these, business cannot survive and investors will not invest.

During my tenure as U.S. ambassador to Ukraine, I have been inspired by the Ukrainian people's demand for accountability. During the Revolution of Dignity, and every day since, Ukrainians have persevered, often at great personal cost, in order to determine their own future.

And Ukraine's leaders are listening. Despite an invader in the east – using weapons and words to weaken, dispirit, and distract – national, regional, and local officials are moving forward with difficult political and economic reforms to bring Ukraine closer to its chosen European future.

However, they – we – must not ignore an equally tenacious enemy dead set on undermining Ukraine's economic success. One that is equally dangerous to Ukraine's future. That enemy is corruption.

Corruption kills.

It kills productivity and smothers inspiration. Ideas are lost in its shadow. Innovation and entrepreneurship lag under the weight of bribery, back room dealing, and bullying.

These old ways are not worthy of today's Ukraine.

Those who gave their lives last year on the Maidan, or in recent weeks the ATO, did not sacrifice themselves for business as usual. The sons, brothers, sisters and mothers defending Ukraine in Donbas today are not there to preserve the status quo. They deserve and demand better.

All of us here today know that Ukraine can, and must, address the problem of corruption now. You, Ukraine's business leaders, investors, prospective investors and partners, all who want to do business here, can help. You can refuse to participate in corrupt business practices. You can insist that when corruption is found, arrests are made and followed by thorough, properly implemented investigations. And then, when warranted, the guilty should be convicted and punished according to the law.

Imagine the impact if – instead of lining corrupt officials' pockets – the resources being zapped by corruption were freed up and reinvested in Ukraine's economy. Imagine what those resources could do to fuel the development and broad-based prosperity the Ukrainian people want and deserve.

The United States is helping to build Ukraine's capacity to fight corruption, expose the guilty and see them punished appropriately. And we are helping to do it, here in Odesa. Let me give you a few examples.

First, the U.S. government is developing a program to provide training for every judge, prosecutor, and defense attorney in Odesa Oblast on the adversarial process in criminal proceedings as envisioned by the new Criminal Procedure Code.

We hope that this pilot project will demonstrate how Ukraine's criminal process can be made more effective. If it is successful, the project can be a model for the rest of Ukraine.

Second, we partnered with the Ministry of Internal Affairs and Odesa to deploy the new Patrol Police in Odesa. The presence of these officers on the streets is a concrete demonstration of how Ukraine is changing, but more importantly, they are building trust with the public. That trust will give rise to

confidence – the confidence to work together to expose and fight the petty corruption that stifles small business and intimidates average citizens.

Third, we are funding a team of Ukrainian, regional, and international experts who are working with Governor Saakashvili to flesh out an anticorruption and deregulation agenda for Odesa oblast. Odesa's vision for reform is transformative. If successful, Odesa can be a model of transparent, accountable government and business.

It will be a symbol of success in the new Ukraine. Odesa, long known for corruption, will come clean. Investment and opportunity will follow.

I know that President Poroshenko and Prime Minister Yatsenyuk understand the importance of this issue and recognize the threat that business as usual represents for Ukraine's hopes of political and economic transformation.

However, there is one glaring problem that threatens all of the good work that regional leaders here in Odesa, in Kharkiv, in Lviv, and elsewhere are doing to improve the business climate and build a new model of government that serves the people.

That problem threatens everything that the Rada, the Cabinet, the National Reform Council, and others are doing to push political and economic reforms forward and make life better for Ukrainians, and it flies in the face of what the Revolution of Dignity is trying to achieve.

That obstacle is the failure of the institution of the Prosecutor General of Ukraine to successfully fight internal corruption. Rather than supporting Ukraine's reforms and working to root out corruption, corrupt actors within the Prosecutor General's office are making things worse by openly and aggressively undermining reform.

In defiance of Ukraine's leaders, these bad actors regularly hinder efforts to investigate and prosecute corrupt officials within the prosecutor general's office. They intimidate and obstruct the efforts of those working honestly on reform initiatives within that same office.

The United States stands behind those who challenge these bad actors.

We applaud the work of the newly-established Inspector General's office in the PGO led by David Sakvarelidze and Vitaliy Kasko. Their investigations into corruption within the PGO, have delivered important arrests and have sent the signal that those who abuse their official positions as prosecutors will be investigated and prosecuted.

I encourage all of you to speak up in support of these brave investigators and prosecutors. Give them the resources and support to successfully prosecute these and future cases.

We have learned that there have been times that the PGO not only did not support investigations into corruption, but rather undermined prosecutors working on legitimate corruption cases.

For example, in the case of former Ecology Minister Mykola Zlochevsky, the U.K. authorities had seized 23 million dollars in illicit assets that belonged to the Ukrainian people. Officials at the PGO's office were asked by the U.K to send documents supporting the seizure.

Instead they sent letters to Zlochevsky's attorneys attesting that there was no case against him. As a result the money was freed by the U.K. court and shortly thereafter the money was moved to Cyprus.

The misconduct by the PGO officials who wrote those letters should be investigated, and those responsible for subverting the case by authorizing those letters should – at a minimum – be summarily terminated.

Even as we support the work of the new Anti-Corruption Commission, and the recruitment of new prosecutors, we have urged Prosecutor General Shokin to empower Deputy Prosecutors Sakvarelidze and Kasko to implement reforms and bring to justice those who have violated the law, regardless of rank or status. We are prepared to partner with reformers within the PGO in the fight for anticorruption.

That's why, on August 10, the United States signed a Joint Action Plan with Deputy Prosecutor General Sakvarelidze to provide 2 million dollars in U.S. assistance to support reform, anticorruption, and capacity building at the PGO.

It is critical that these reforms be undertaken in an open and transparent manner – consistent with the Procuracy Reform Law, international standards, and in coordination with national and international stakeholders – so that the Ukrainian people can have full faith and confidence in their laws and in those who have sworn to enforce them.

There are other cases as well, like those involving Former Deputy Chief Prosecutor Volodymyr Shapakin and Former Prosecutor Korniyets that clearly demonstrate that it is critical to cease intimidation and investigations of investigators, prosecutors and witnesses.

We want to work with Prosecutor General Shokin so the PGO is leading the fight against corruption.

We want the Ukrainian people to have confidence in the Prosecutor General's Office, and see that the PGO, like the new patrol police, has been reinvented as an institution to serve the citizens of Ukraine.

Ukraine has every reason to succeed. This country has resources in abundance. Its highly educated workforce can supply Europe and its neighbors with human capital and competitive products. Its famous black earth already feeds the world. Ukraine exported a record-breaking 33.5 million tons of grain last year, and the agricultural sector has tremendous potential to grow even more.

The Deep and Comprehensive Trade Area Agreement with the European Union will help leverage these natural resources and help build even more economic success. Ukraine's government, spurred on by an active, engaged, and committed civil society, is continuing difficult reforms in the face of armed aggression and economic hardship.

But as I said before, it is up to citizens, business and investors to hold those standing in the way of reform and progress accountable.

Work with the reformers, with new, trustworthy authorities like the patrol police and honest civil servants to make change happen. Think creatively about how to overcome the roadblocks being put up by those, like the bad actors in the Prosecutor General's office I mentioned before, who want to keep the status quo. Do not take no for an answer, but rather work to strengthen your democracy and push for Ukraine's European future.

The United States is with you in this difficult process. Through training programs and other assistance, we are working with Ukraine to make judges independent so they can uphold the law free from political pressure. We continue to support your efforts to build a modern police force and public prosecution service focused on serving the citizens, and providing an equal playing field for all.

And U.S. businesses – with the support of the U.S. Chamber of Commerce – will continue to look for opportunities to invest in Ukraine, a Ukraine committed to reform, transparency, accountability, and clear rules properly enforced.

I ask you all to be committed to putting a stop to corruption, wherever it is found.

Ukrainians demanded an end to business as usual on the Maidan. Business leaders here today can help by demanding a better, fairer, corruption-free environment to invest and create opportunities for the future.

In closing, and speaking of creating opportunities for the future, I take great pleasure in announcing that U.S. Secretary of Commerce Penny Pritzker will return to Ukraine in October. During her visit, Secretary Pritzker will take a serious look at what Ukraine has accomplished since her last visit. I am confident that she will see a government and business community serious about reforms, and ready to establish more connections and partnerships with U.S. businesses and investors.

As the United States Ambassador to Ukraine, I tell you, we stand with you.

Slava Ukraini.

THE LONG RUN

## *What Joe Biden Actually Did in Ukraine*

By Glenn Thrush and Kenneth P. Vogel

Published Nov. 10, 2019 Updated March 6, 2020

When Russia invaded Ukraine in early 2014, Vice President Joseph R. Biden Jr. pressed President Barack Obama to take decisive action, and fast, to make Moscow “pay in blood and money” for its aggression. The president, a Biden aide recalled, was having none of it.

Mr. Biden worked Mr. Obama during their weekly private lunches, imploring him to increase lethal aid, backing a push to ship FGM-148 Javelin anti-tank missiles to Kiev. The president flatly rejected the idea and dispatched him to the region as an emissary, cautioning him “about not overpromising to the Ukrainian government,” Mr. Biden would later write in a memoir.

*[Trump, Ukraine and impeachment: The inside story of how we got here.]*

So, Mr. Biden threw himself into what seemed like standard-issue vice-presidential stuff: prodding Ukraine’s leaders to tackle the rampant corruption that made their country a risky bet for international lenders — and pushing reform of Ukraine’s cronyism-ridden energy industry.

“You have to be whiter than snow, or the whole world will abandon you,” Mr. Biden told the country’s newly elected president, Petro O. Poroshenko, during an early 2014 phone call, according to former administration officials.

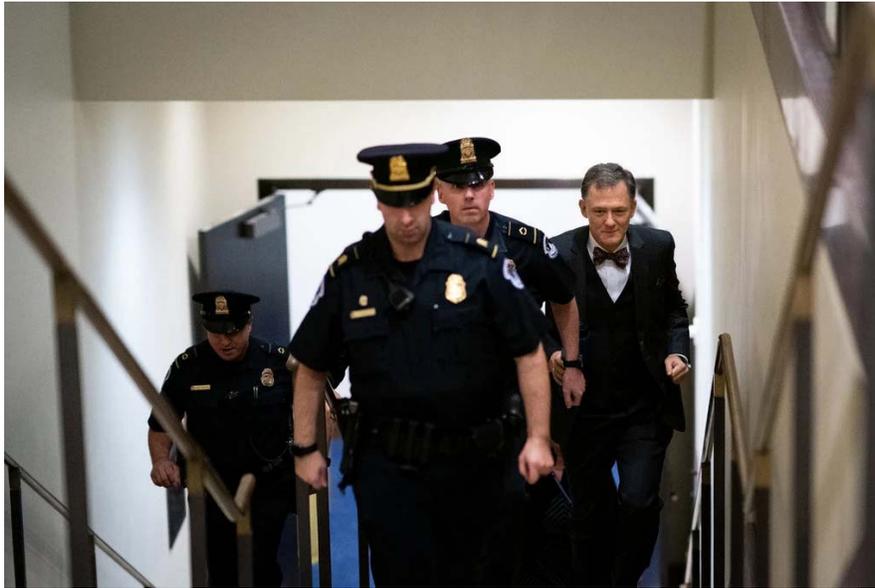
That message was delivered just as Mr. Biden’s son Hunter joined the board of a Ukrainian gas company that was the subject of multiple corruption investigations, a position that paid him as much as \$50,000 a month and — in the view of some administration officials, including the ambassador to Kiev — threatened to undermine Mr. Biden’s agenda.

Thanks to President Trump and his lawyer Rudolph W. Giuliani, that subplot has now swallowed the story line. Their efforts to press Ukrainian officials to investigate unsubstantiated charges against the Bidens have propelled Mr. Trump to the brink of impeachment. They have also put Mr. Biden on the defensive at a critical moment in the Democratic presidential primary campaign. As the impeachment hearings go public this week, the Republicans are hoping to redirect the spotlight onto the Bidens.

A look at what the former vice president actually did in Ukraine (he visited six times and spent hours on the phone with the country’s leaders) tells a different story, according to interviews with more than two dozen people knowledgeable about the situation. It casts light on one of Mr. Biden’s central arguments for himself in the primary: his eight years of diplomacy as Mr. Obama’s No. 2.

Mr. Biden dived into Ukraine in hopes of burnishing his statesman credentials at a time when he seemed to be winding down his political career, as his elder son, Beau, was dying and his younger one, Hunter, was struggling with addiction and financial problems. It turned out to be an unforgiving landscape — threatened by Russia, plundered by oligarchs, plagued by indecisive leaders and overrun by outsiders hoping to make a quick buck off the chaos.

Writing in his 2017 memoir, Mr. Biden said Ukraine gave him a chance to fulfill a childhood promise to make a difference in the world. It also came to serve a political purpose, as “a legacy project, something he could run on,” said Keith Darden, an associate professor at American University who studies Ukraine policy.



George P. Kent, right, the deputy assistant secretary of state for European and Eurasian Affairs, told impeachment investigators that he had raised concerns about Hunter Biden in 2015. Erin Schaff/The New York Times

In the end, it was an unglamorous holding action, but one that suited Mr. Biden's Mr. Fix-It approach to the vice presidency — and his view of Ukraine as the front line in a larger battle to contain the Russian president, Vladimir V. Putin.

“People forget it now, but at that time period, 2014 and 2015, it wasn't clear Ukraine would survive,” Mr. Darden said. “They were teetering on the brink of bankruptcy. They had only 8,000 battle-ready troops.”

A key to Mr. Biden's relevance as vice president was his willingness to take jobs nobody else wanted. In early 2014, as others on Mr. Obama's team raced to finish big-splash deals with Cuba and Iran, Mr. Biden told the president he wanted to take on three of the most unappetizing foreign-policy tasks left undone: containing the Islamic State, curbing immigration from Central America and keeping Russia from devouring Ukraine.

Mr. Biden had deep contacts in Europe, and as a senator in the 1990s had had some success persuading President Bill Clinton to take action in the Balkans. He considered himself to be among the few people in Mr. Obama's orbit who understood Europe and were willing to challenge Mr. Putin — a counter to the national security adviser, Susan E. Rice, who repeatedly warned the president against escalating a conflict with Russia that the United States could not win.

Yet on Ukraine, as elsewhere, Mr. Biden was less an architect of policy than the empowered executor of Mr. Obama's policy.

“He was the vice president, not the president,” said Senator Jeanne Shaheen, Democrat of New Hampshire, part of a bipartisan group of lawmakers allied with Mr. Biden who pressured Mr. Obama to help Ukraine's military.

Indeed, the drive to provide lethal aid to Kiev was a group effort, pushed by senators and two powerful State Department officials: Geoffrey R. Pyatt, who was the ambassador in Kiev, and Victoria J. Nuland, then the hawkish assistant secretary for European and Eurasian affairs.

Ms. Nuland was overheard telling Mr. Pyatt they needed Mr. Biden “for an attaboy” to encourage Ukrainian leaders to fulfill their promises, during a 2013 phone conversation about Ukraine, bugged and released to the media.

## **Bribes, Shakedowns and ‘Sweetheart Deals’**

Mr. Biden applied his Amtrak charm to local players like Ukraine's embattled president, Viktor Yanukovich, with limited effect. Former White House aides recall watching an agitated Mr. Biden ducking in and out of a secure phone booth outside the situation room in early 2014, trying to reach Mr. Yanukovich on his cellphone.

“Where the hell is this guy?” he kept asking, before learning that Mr. Yanukovich had fled Kiev, ultimately for Russia, as huge street protests erupted against his regime's corruption and his pivot away from Europe and toward Moscow.



Pro-Russian forces in Crimea in March 2014. Sergey Ponomarev for The New York Times

Mr. Putin then rushed in, annexing Crimea and backing paramilitaries who invaded the country's east. While Mr. Biden's pitch for missiles was rebuffed, he eventually helped sell Mr. Obama on sending about 100 American service members to train Ukraine's security forces.

Things seemed to be looking up in May 2014 with the election of Mr. Poroshenko, an oligarch who billed himself as a reformer. At first, the vice president's hard-edged messages to him on corruption were coated with kibbitz — demands accompanied by Bidenesque inquiries like whether the puffy-eyed president was getting enough sleep, aides recalled.

Within months, though, the State Department began suspecting that the office of Mr. Poroshenko's first prosecutor general was accepting bribes to protect Mykola Zlochevsky, the oligarch owner of Burisma Holdings, the gas company where Hunter Biden was a board member. In a February 2015 meeting in Kiev with a deputy prosecutor, a State Department official named George P. Kent demanded to know "who took the bribe and how much was it?"

The prosecutor general was fired soon after. But it wasn't long before the new prosecutor, Viktor Shokin, was drawing allegations of corruption, including from State Department officials who suspected he was shaking down targets and intentionally slow-walking investigations to protect allies.

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Mr. Giuliani has claimed, without evidence, that Mr. Biden's push to oust Mr. Shokin was an attempt to block scrutiny of his son's actions. In fact, Mr. Biden was just one of many officials calling for Mr. Shokin to go. Good-government activists were protesting his actions in the streets, as were eurozone power players like Christine Lagarde, then the managing director of the International Monetary Fund, along with Ms. Nuland and Senate Republicans.

"The position regarding getting rid of Shokin was not Vice President Biden's position; it was the position of the U.S. government, as well as the European Union and international financial institutions," said Amos J. Hochstein, former coordinator for international energy affairs at the State Department and one of the few administration officials who directly confronted Mr. Biden at the time about his son.

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22m ago U.S. government debt soars near levels not seen since immediately after World War II.

29m ago Post-convention polls show Biden's national lead tightening.

1h ago

A Louisiana Republican congressman threatened to kill anyone arriving at a Black Lives Matter rally armed.

Is this helpful?

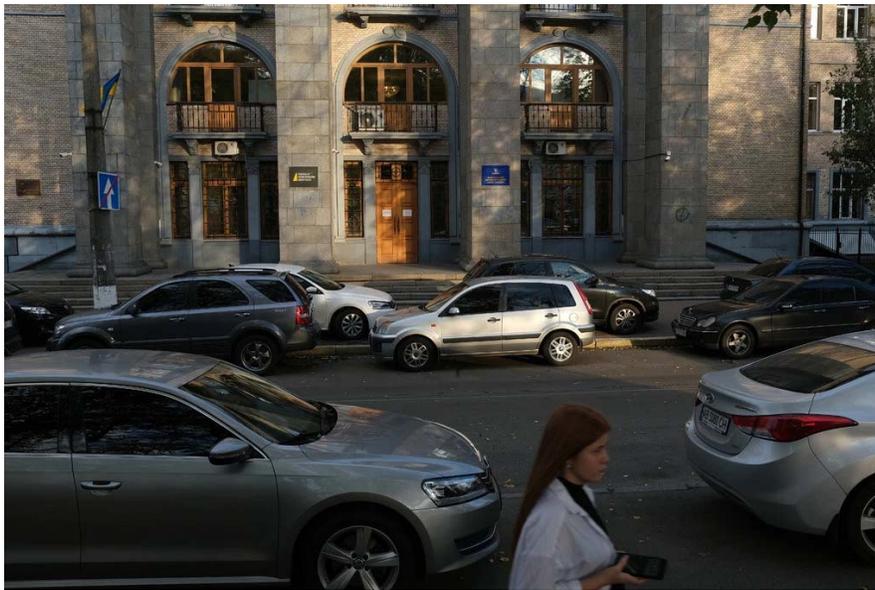


Ukraine's energy industry, the country's geopolitically crucial economic engine, was a central point of contention between the Obama administration and Kiev. Mr. Biden and Mr. Hochstein, echoing a similar effort by European officials, pressured Mr. Poroshenko to reform the operations of the state-owned natural gas company Naftogaz, which controlled about two-thirds of the country's energy resources.

(Burisma, a smaller, privately owned company, played no role in Mr. Biden's pressure campaign, and administration officials could not recall whether the company was even mentioned in meetings the vice president attended on energy matters.)

By late 2015, American officials had grown so frustrated with Mr. Poroshenko's sluggish response on all fronts that Mr. Biden was dispatched to make the case publicly for reforms to the Ukrainian Parliament.

That December, in a speech that he later described as one of the most important he had ever delivered, the vice president told legislators they had "to remove all conflicts between their business interest and their government responsibilities." He also singled out the natural gas industry, saying, "The energy sector needs to be competitive, ruled by market principles — not sweetheart deals."



The National Anti-Corruption Bureau in Kiev. Sean Gallup/Getty Images

His words, like his work in Ukraine over all, were important but hardly decisive.

"A lot of good things would not have happened if Biden hadn't been focused on Ukraine, but his work did not fundamentally change the overall institutional corruption," said Edward C. Chow, an expert on geopolitics and energy policy at the Center for Strategic and International Studies, a nonpartisan Washington think tank. "And having his son doing what he did was a distraction that undermined his message."

Mr. Shokin was eventually fired, but only months later, after I.M.F. officials threatened to withdraw funding.

In the intervening years, there has been much churn and less change. Mr. Putin, facing sanctions, has mostly stayed in check. Mr. Poroshenko was beaten at the polls by Volodymyr Zelensky in April, and remains bitter toward Mr. Biden for calling him out over his handling of Naftogaz during a meeting shortly before the 2016 elections, according to a person to whom he recently complained.

Some reforms have been put in place at the energy giant: Ukrainian officials agreed to appoint an international oversight board (Mr. Hochstein is now a paid I.M.F. appointee to the panel), but the issue of sweetheart deals remains unresolved.

The battle over Naftogaz has also become wrapped up in the House impeachment inquiry. Two of Mr. Giuliani's associates in his pressure campaign against the Bidens — Lev Parnas and Igor Fruman — were part of an effort to remove Mr. Pyatt's successor as ambassador to Kiev, Marie L. Yovanovitch, who had called for reforms to the energy giant.

For his part, Hunter Biden remained on Burisma's board until his term expired in April.

It was Mr. Trump, ironically, who signed off on Mr. Biden's request to send the Javelins.

## Handling the Story

Mr. Biden wants to move on.

"I carried out the policy of the United States government," he said during the most recent Democratic debate. "That's what we should be focusing on."

But he did not take advantage of a chance to eliminate the distraction four years ago, when the threat resurfaced — in the form of questions from The New York Times and follow-ups from other news organizations — as he flew to Kiev on Air Force Two to deliver the anti-corruption speech to Parliament.

Several aides recalled a surreal split-screen of activity onboard, as Mr. Biden's team focused mostly on the speech (he urged them to make it tougher), but peeled off for intermittent huddles on how to handle the Hunter story (Mr. Biden dismissed the story as a distraction, and did not engage). The group defaulted to the pushback plan used the year before when the story had first emerged, issuing a statement that Hunter Biden was "a private citizen and a lawyer."

They emphasized "private citizen," many former aides said, because the vice president would not even discuss taking the step that could make all questions vanish: asking his son to quit the Burisma board, as editorial boards and Ukraine experts were suggesting.



Hunter Biden, the former vice president's son, served on the board of the Ukrainian energy company Burisma Holdings. Ozier Muhammad/The New York Times

Mr. Biden's advisers say that he and his son had informally agreed years earlier not to discuss anything pertaining to the younger Mr. Biden's business activities, as a way to insulate them both.

Bob Bauer, former Obama White House counsel and Biden adviser, said that even pressuring Hunter Biden to quit the board would have constituted a breach of that firewall, and suggested that was one of the reasons the vice president chose not to do it. "The independent activities of an adult child simply don't create a 'conflict of interest' for the parent who is a public

official,” he said. “And as a matter of sound ethical practice, it is important for officials in this position to maintain that distance: to be able to show that, in doing their jobs, they could not have been affected by discussions or involvement with their adult children relating to private business matters. Their posture has to be, ‘Whatever you decide to do, I am going to do what I have to do.’”

Mr. Biden has said he first learned of his son’s activities in Ukraine when the story broke in 2014. He told his son, “I hope you know what you are doing,” according to Hunter Biden’s account of their discussion in *The New Yorker* earlier this year.

If that settled matters between father and son, Hunter Biden’s activities struck many of the officials working on Ukraine policy as an unnecessary distraction, or worse. Mr. Biden’s own aides were so worried about the optics, they enlisted State Department officials to gather facts to determine how to handle the story, according to people who worked with his office.

Yet few, if any, had raised the issue with Mr. Biden directly when it first arose. Most viewed the revelation — unseemly, but not illegal or a violation of ethics rules — as simply not worth risking a scolding from Mr. Biden, who had reacted angrily when Mr. Obama’s aides raised the issue of his son’s lobbying during the 2008 campaign. One person who briefly discussed the matter with Mr. Biden said he was anguished by his son’s personal problems and unsure how to help him recover.

Mr. Hochstein, reflecting the concerns of State Department officials, including Mr. Pyatt, tried to get several of Mr. Biden’s aides to broach the subject with him in 2014. When they declined, he took matters into his own hands, according to three Obama administration officials with knowledge of the situation. It is not clear how Mr. Biden responded; Mr. Hochstein did not disclose details of their interaction.

But former administration officials involved in the response to the story, speaking on the condition of anonymity, cited one reason above all others for backing off: the vice president’s shaky emotional state over Beau’s illness and death. Mr. Kent, now the deputy assistant secretary of state for European and Eurasian affairs, told House investigators that his concerns had not been addressed by a White House official, who told him that Mr. Biden lacked the “further bandwidth to deal with family-related issues at that time.”

Mr. Biden’s mood in 2019 is no longer grief but anger. His aides accuse the news media of abetting Mr. Trump by aiming the story, now the catalyst for impeachment, back at the former vice president.

“Let’s not forget that this was covered on A22 of *The Times* in 2015, because it did not fall outside the White House’s ethical guidelines and was simply not a major story,” said Kate Bedingfield, the Biden campaign’s communications director.

She added: “What’s different now? It’s that Donald Trump is aggressively lying about it every day in the hopes that it winds up on the front page.”

Andrew E. Kramer and Nicholas Fandos contributed reporting.

A version of this article appears in print on Nov. 11, 2019, Section A, Page 1 of the New York edition with the headline: Biden Tried to Buttress Ukraine, And a Subplot Became the Story

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## Our 2020 Election Guide

Updated Sept. 2, 2020

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Democrat



**Donald Trump**  
Republican

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**From:** Bedingfield, Kate J. EOP/OVP  
**Sent:** Sun, 6 Dec 2015 16:23:56 +0000  
**To:** Pyatt, Geoffrey R; Carpenter, Michael R. EOP/OVP; Kahl, Colin H. EOP/OVP; Hochstein, Amos J; Nuland, Victoria J  
**Subject:** RE: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

Thx

-----Original Message-----

From: Pyatt, Geoffrey R [<http://redirect.state.sbu/?url=mailto:> ]  
Sent: Sunday, December 6, 2015 11:13 AM  
To: Bedingfield, Kate J. EOP/OVP >; Carpenter, Michael R. EOP/OVP >; Kahl, Colin H. EOP/OVP >; Hochstein, Amos J >; Nuland, Victoria J >  
Subject: Re: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

I'd adjust the last sentence to change our desired end state. Something like "...begin rooting out the cancer of corruption that has done so much over the years to hold back economic growth and sap the confidence of Ukrainians in those who govern them."

I assume all have the DoJ background on Zlochevsky. The short unclas version (in non lawyer language) is that US and UK were cooperating on a case to seize his corrupt assets overseas (which had passed through the US). The case fell apart when individuals in the PGO acted to thwart the UK case.

Sent from my BlackBerry 10 smartphone.

From: Bedingfield, Kate J. EOP/OVP  
Sent: Sunday, December 6, 2015 6:04 PM  
To: Carpenter, Michael; Pyatt, Geoffrey R; Kahl, Colin H. EOP/OVP; Hochstein, Amos J  
Subject: RE: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

Proposed TPs for the VP if he gets asked after the stories break in the next few days. Especially interested in your feedback on how to answer the third Q if he gets asked. He is not currently slated to take any questions from reporters on the record on the trip, but he will talk to our traveling press at length off the record and will need to be prepared to answer these kinds of questions.

#### TALKING POINTS

· My son is a private citizen and I'm not going to get into discussing his personal business, it has no impact on my work.

· What I will say, though, is that no one has been tougher in pushing Ukrainian leaders to root out corruption than I have. It has been a primary focus of my discussions, both publicly and privately, for years. And I think you can see from the substance of this trip it remains a major priority for me and for the US government.

· Important strides have been made – the appointment of a Special Anti-Corruption Prosecutor and the establishment of an independent Inspector General to prosecute corrupt prosecutors are two good ones. But much more needs to be done and we will continue to encourage everyone involved to commit to meaningful reforms.

Q: Have you asked Hunter to step down from the board? Has he discussed that with you?

A: I'm not going to discuss private conversations with my family. Hunter is a private citizen and does independent work.

Q: Do the optics of this situation undermine your credibility when you're pushing the Ukrainians to clean up their own house?

A: No. I have long pushed and will continue to push for the Ukrainian government to root out corrupt practices. My record on this speaks for itself. I have called on Ukrainian leadership to root out corruption, encouraged civil society reformers to remain focused on this and push the government themselves, and I welcome the news that the government will appoint a Special Anti-Corruption Prosecutor. Important steps have been taken, but there is so much left to be done. Corrupt officials must be brought to justice and reformers must work together to ensure this happens

Q: Do you think Zlochevsky is corrupt?

A: I'm not going to get into naming names or accusing individuals. We have been working consistently to push the Ukrainian leadership to make meaningful changes in the Prosecutor General's office and across the government to help ensure that the Ukrainian people are represented fairly and fully.

-----Original Message-----

From: Carpenter, Michael

[><http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:> [REDACTED]

[REDACTED] <

Sent: Sunday, December 6, 2015 6:23 AM

To: 'PyattGR [REDACTED]' <[REDACTED]>; Kahl, Colin H. EOP/OVP <[REDACTED]>;

Bedingfield, Kate J. EOP/OVP <[REDACTED]>

Subject: Re: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

Ugh.

+ Kate, CK

From: Pyatt, Geoffrey R  
[>[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto: \[REDACTED\]](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto: [REDACTED])]  
<

Sent: Sunday, December 06, 2015 01:45 AM

To: Carpenter, Michael

Subject: FW: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

A really nasty Russian outlet on the same issue

This email is UNCLASSIFIED.

From: lbi@lbicompany.com.ua  
[><http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:lbi@lbicompany.com.ua>]  
<

Sent: Saturday, December 05, 2015 7:05 PM

To: Kyiv, Media Alerts

Subject: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

this web site is very similar (stile, shrifts etc) to Ukrainian Podrobnosti that belongs to Inter TV Channel - the same name as its TV summary news block at 8pm

but we checked contacts and there is a Russian address there

Podrobnosti.biz

The Ukrainian scam of the Biden family

05.12.2015

Author: Eugene Prosvirin

The news that the son of the US Vice President Joe Biden was appointed to the board of directors of the Ukrainian gas company Burisma Holdings, for the first time appeared in media last spring.

The Internet marked this new appointment unequivocally - a massive stamping folklore entertainment began in social networks. The story had got a special piquancy - Joe Biden's visit to Kyiv in April, where he took a place of the president of Ukraine, not the guest at the negotiation table.

There were even such headlines: "Hunter Biden: a rape of Ukraine with a special cynicism."

The hatred among the public was coursed by the fact that Biden's tandem participates not only in Ukrainian politics, but in the Ukrainian business as well. However, neither Joe nor Hunter weren't ashamed of their imperial approach. On the contrary, they have demonstrated that this could be and should be.

Hunter demonstrated his true management potential in six months after the appointment. In mid-October 2014 it became clear that he failed out of the US Navy Reserve. Hunter failed an ordinary drug test - it was accused of cocaine use. A failed sailor, but a successful businessman due to family ties, said then that he was "deeply sorry" about the incident.

He still owns an investment-consulting company Rosemont Seneca Partners. Nobody took his place in the chair Board of the US World Food Programme, which, with other things, works directly with the UN World Food Programme. He still heads the Burisma Holdings, part of Kolomoisky's financial empire.

A tandem of the influential father and the enriched son opened not a small window but a real portal of capabilities for the Biden family in Ukraine. Analysts make an unnerving forecast : it is quite possible that the Biden family will begin a large-scale privatization in Ukraine, which in fact would be a banal raider seizure of state enterprises. The family has already watched their six at the politician field - it's time to do American business .

>>[>>http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://podrobnosti.biz/news/12432-ukrainskaya-afera-semeystva-bayden/?\\_utl\\_t=vk](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://podrobnosti.biz/news/12432-ukrainskaya-afera-semeystva-bayden/?_utl_t=vk)<<

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With best regards,

LBI Team

>>[>>http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=www.lbicompany.com.ua](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=www.lbicompany.com.ua)<<

(044) 501 58 41

[REDACTED]

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With be

st regards,

LBI Team

>>[>>http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=www.lbicompany.com.ua](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=www.lbicompany.com.ua)<<

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## The White House

Office of the Vice President

For Immediate Release

December 09, 2015

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# Remarks by Vice President Joe Biden to The Ukrainian Rada

The Rada

Kyiv, Ukraine

11:58 A.M. (Local)

THE VICE PRESIDENT: Thank you. What a great honor for me to be able to represent my country before such an august audience.

Mr. President, Mr. Prime Minister, Mr. Chairman, members of the Rada, ladies and gentlemen, I am deeply honored to be invited to speak to you today at a moment marked by great opportunity, as well as great uncertainty for the people of Ukraine. The stakes for your country and the expectations of your people have never been higher because Ukraine, as you know better than I, has been here before.

In the West, as here we remember, the Orange Revolution -- young men and women who filled the Maidan a decade ago demanding that their voices and their votes both be respected. They refused to back down in the face of rigged elections, and they succeeded.

But as history tells us and shows, and as we know, Ukraine's leaders proved incapable of delivering on the promise of democratic revolution. We saw reforms put in place only to be rolled back. We saw oligarchs uninterested in change ousted from power only to return. Reformers persecuted, thrown in prison as political retribution. And the bright flame of hope for a new Ukraine snuffed out by the pervasive poison of cronyism, corruption, and kleptocracy.

Nearly a decade later, that flame of hope was reignited by thousands of brave Ukrainians, some of you in this room, storming the Maidan, demanding a Revolution of Dignity. The world was transfixed. This time they were not going to be denied the future that so many of your country have longed for, for so long.

And the world was horrified when peaceful patriots were met by violence. They stayed at the Maidan day and night, facing down the Berkut in riot gear. For the first time since the Middle Ages, the bells of St. Mary [\*sic] raised the alarm, calling the citizens of Ukraine to reinforce their brothers and sisters on the Maidan. Tens of thousands heeded the call bringing with them food, clothing, blankets, medical supplies, and their support. As the world watched -- and I was literally on the phone with your former President urging restraint -- as the world watched, the final assault came. Amidst fire and ice, snipers on rooftops, the Heavenly Hundred paid the ultimate price of patriots the world over. Their blood and courage delivering to the Ukrainian people a second chance for freedom. Their sacrifice -- to put it bluntly -- is now your obligation.

You have a historic opportunity to be remembered as the Rada that finally and permanently laid in place the pillars of freedom that your people have longed for, yearned for, for so many years.

I need not tell you this is a joint responsibility. The President, the Prime Minister, the members of this august body -- all of you must put aside parochial differences and make real the Revolution of Dignity.

My country, too, was born of revolution. But the battle for our independence was underway well before the first shots were fired. It began when men of conscience stood up in legislative bodies representing every region in what was then Colonial America -- Massachusetts, Pennsylvania, Virginia, very different interests -- and declared in each of their regions the inherent rights of free people in different documents, in different language -- but the inherent right to be free.

They took a vast continent and a diverse people -- what John Adams, one of our Founding Fathers and future Presidents once said -- called "an unwieldy machine". And they molded that unwieldy machine into a united representative democracy where people saw themselves as Americans first and citizens of their region second.

But our union remained imperfect, our democracy incomplete. Seventy years later we went through a second testing during the American Civil War, which nearly tore our still young country asunder. Winning on the field of battle wasn't sufficient to unite our country. To end slavery and the regional differences we had, to grant former slaves citizenships and rights, the United States Congress assembled -- had to amend our Constitution.

Individual members of that Congress lost their jobs standing up to do the right thing. Everyone took real political risks to overcome entrenched opposition for the good of achieving a truly United States of America.

In the end, it came down to extraordinary patriots -- individuals putting their personal needs behind the needs of their nation, their narrow interest behind unity.

Ladies and gentlemen, I believe the President, the Prime Minister, every member of this body now faces a similar test of courage.

To quote an early American patriot, Thomas Paine, "These are the times that try men's souls." These are the times that try men's souls.

This is your moment. This is your responsibility. Each of you -- if you'll forgive me for speaking to you this way in your body -- each of you has an obligation to seize the opportunity that the sacrifices made in the Maidan, the sacrifices of

the Heavenly Hundred. Each of you has an obligation to answer the call of history and finally build a united, democratic Ukrainian nation that can stand the test of time.

Edmund Burke said it best in 1774, speaking to his constituency in Bristol, England. Here's what he said: "Parliament is a deliberative assembly of one nation, with one interest -- that of the whole; where not local purpose, not local prejudice ought to guide, but the general good."

I respectfully suggest this is a standard for which each of you will be judged. This is the standard by which your grandchildren and great grandchildren, your progeny will judge whether or not you had the moral courage to put the general good above local prejudice. And this is all within your power. It's within your hands. Nobody else's -- yours.

You can bend the arc of history of this nation toward greater justice and opportunity for the Ukrainian people, and you can do it now.

I've had the great privilege and opportunity afforded to me by all of you over the past two years to meet with representatives representing all sectors of this country -- east and west, including the illegally occupied Crimea -- from all walks of life -- civil society, members of this body, your military leaders, your clergy. I've met with souls who stood on the Maidan -- some of you are now in this chamber -- a place which I visited yesterday. All one has to do is look at the photographs of the Heavenly Hundred at that spontaneously erected monument where I stood yesterday. Just look at the photographs. This is not hyperbole. I'm not trying to be unduly -- this is real. As a foreigner, all I have to do is look at the photographs. See the photographs of young men as early as their early 20s to those in their early 80s. Every one of them were joined in common purpose, a Revolution of Dignity.

My father had an expression he repeated a thousand times growing up: Every man and woman is entitled to be treated with dignity. Everyone. That's what your new revolution was about: dignity.

And those martyrs still give voice to the timeless ideals and the timeless ideas, the universal values that unite free people all around the world. I visited every part of this world. There's fewer than a handful of countries I've not been in. I've traveled over 1.3 million miles just since being Vice President. The whole world is watching you. That's a fact. They're watching you because their hopes for your success as you fight both the unrelenting aggression of the Kremlin and the cancer of corruption will impact on them.

In both these struggles you have the unwavering support of the United States of America and the American people -- including nearly 1 million proud Ukrainian Americans. You have the united support of Europe -- Western, Central, and Eastern Europe -- all invested in your democratic success because your success goes to the heart of an enduring commitment to a Europe whole, free, and at peace. If you fail, the experiment fails. It is no exaggeration to say that the hopes of freedom-loving people the world over are with you because so much rides on your fragile experiment with democracy succeeding.

It's equally important, by the way, for aggressors around the world to understand that they can't use coercion, bribery, sending tanks and men across a border to extinguish the dreams and hopes of a people. For if you succeed, that message is sent around the world.

The President asked me back in the late winter, 2009, to come to Europe to speak at the Munich Conference to lay out the principles that would guide our administration; the fundamental elements of American foreign policy under the Obama-Biden administration. And what I said then I will repeat now. I said, we will not recognize any nation having a sphere of influence. Sovereign states have the right to make their own decisions and choose their own alliances. Period. Period. (Applause.)

In the 21st century, nations cannot -- and we cannot allow them to redraw borders by force. These are the ground rules. And if we fail to uphold them, we will rue the day. Russia has violated these ground rules and continues to violate them. Today Russia is occupying sovereign Ukrainian territory. Let me be crystal clear: The United States does not, will not, never will recognize Russia's attempt to annex the Crimea. (Applause.) It's that saying -- that simple. There is no justification.

And as Russia continues to send its thugs, its troops, its mercenaries across the border, Russian tanks and missiles still fill the Donbas. Separatist forces are organized, commanded and directed by Moscow -- by Moscow. (Applause.)

So the United States will continue to stand with Ukraine against Russian aggression. We're providing support to help and train and assist your security forces, and we've relied on and rallied the rest of the world to Ukraine's cause.

I have spent hours -- as the President has -- talking to heads of state in Europe and around the world, making it clear that one of the tests for whether or not they are our allies is are they allied with your purpose.

America and Europe now stand together united in our commitment to impose tough economic sanctions on Russia. And while Russian aggression persists, the cost imposed on Moscow will continue to rise. The false propaganda that the Kremlin is disseminating in an attempt to undermine Ukraine and fracture Europe's resolve will not work. No one should mistake saber rattling and bombast for strength. Let me say that again, no one should mistake saber rattling and bombast for real strength.

We're taking steps to bolster Europe's resilience to Russian coercive tactics. We are strengthening NATO as I speak, improving energy security as I speak, and attempting to help spur an economic revival throughout Europe.

The United States and Europe will maintain pressure until Moscow fulfills its commitments under the Minsk Agreement. While there has been some progress in deescalating the violence, there can be no sanctions relief unless and until Russia meets all of its commitments under the Minsk Agreement. (Applause.)

And I might add parenthetically, I don't think the Russian people fully understand what Putin is doing. That's why he spends so much time hiding at home the presence of Russian forces here in your country. Heavy weapons must be withdrawn from the frontlines. The OSCE must be granted full, unencumbered access. Russia must press the separatists to hold elections according to Ukrainian law and OSCE standards and disavow the illegal election that's just taken place. Hostages held by Russia and its proxies must be returned. Russian troops must leave. The Ukrainian side of the border must be returned to Ukrainian control. Unless all -- if they do all of that, and only if they do, Ukraine also has a responsibility it still has to fulfill -- including amnesty for those who have not committed capital offenses; granting devolved administration to the Donbas. But we've made it clear to Russia and the world that continued delay and foot-dragging is unacceptable. That includes elections in the Donbas. They can only go forward as stipulated under the Minsk Agreement. Full access to the media must be provided. Ukrainian political parties allowed to compete openly. Full and unobstructed OSCE election monitoring. Full voting rights for the people displaced from their homes in the Donbas and living elsewhere in Ukraine. And all weapons contained and kept under OSCE supervision. That only happens if Russia lives up to its commitments, if Russia does its part. If it does, then you must follow through with yours because this is the best chance to keep Donbas in Ukraine, end the conflict, and begin restoring Ukrainian sovereignty and territorial integrity. (Applause.)

It's hard. There's nothing easy about what you have to do. There's nothing easy. The pressure you will all get will be immense.

I'd like to also speak directly to the people in the Donbas. The alternative to what I just said is to continue to live under separatists thugs, criminals who deny humanitarian aid, keep out organizations like Doctors Without Borders, stealing lifesaving medicine to sell on the black market. That's not a future. That's not a future I believe any Ukrainian wants for their children.

That's why the Minsk Agreement needs to be implemented in full. And truly free and fair elections are exactly what the Kremlin fears the most. It's not just your territory they covet; it's your success that they fear. For if free elections occur, and the people determine, as I am confident they will, that they want to remain and integral part of Ukraine, that they are Ukrainians first, that's what Russia fears. That's what Putin fears.

Because as all of you know the struggle for Ukraine's freedom is not confined to the battlefields of the east. Constitutional reform that includes judicial reform and decentralization does not compromise your sovereignty. It enhances it. It's an important step to building a strong, new nation. And it's important to the Ukrainian-European future.

This issue of federalism is the thing that almost prevented our nation from coming into being. Autonomous independent states, their determination to have their own police forces, their determination to have their education system, to have their own government under the united Constitution.

But in addition, you also have a battle, a historic battle against corruption. Ukraine cannot afford for the people to lose hope again. The only thing worse than having no hope at all is having hopes rise and see them dashed repeatedly on the shoals of corruption.

And if the people resign themselves to exploitation and corruption for fear of losing whatever little they have left, that would be the death knell for Ukrainian democracy. We've taken so many critical steps already. But all of you know there's more to do to finish this race. Not enough has been done yet.

As the Prime Minister and the President heard me often say, I never tell another man or another nation or another woman what's in their interest. But I can tell you, you cannot name me a single democracy in the world where the cancer of corruption is prevalent. You cannot name me one. They are thoroughly inconsistent. And it's not enough to set up a new anti-corruption bureau and establish a special prosecutor fighting corruption. The Office of the General Prosecutor desperately needs reform. The judiciary should be overhauled. The energy sector needs to be competitive, ruled by market principles -- not sweetheart deals. It's not enough to push through laws to increase transparency with regard to official sources of income. Senior elected officials have to remove all conflicts between their business interest and their government responsibilities. Every other democracy in the world -- that system pertains.

Oligarchs and non-oligarchs must play by the same rules. They have to pay their taxes, settle their disputes in court -- not by bullying judges. That's basic. That's how nations succeed in the 21st century.

Corruption siphons away resources from the people. It blunts the economic growth, and it affronts the human dignity. We know that. You know that. The Ukrainian people know that. When Russia seeks to use corruption as a tool of coercion, reform isn't just good governance, it's self-preservation. It's in the national security interest of the nation.

Russia is trying to undermine the stability and sovereignty of Ukraine any way they can't, including squeezing Ukraine financially, trying to undermine your economy. They view that as a cheaper way than sending tanks across the line of contact.

So Ukraine must be strong enough to choose its own future, strongly. Strong defensively. Strong economically. A strong system of democratic governance.

The United States is with you in this fight. We understand we're with you afar. It's much harder for you than it is for us. We've stepped up with official assistance to help backstop the Ukrainian economy. We've rallied the international community to commit a total of \$25 billion in bilateral and multilateral financing to support Ukraine. It includes \$2 billion in U.S. loan guarantees and the possibility of more.

Yesterday I announced almost \$190 million in new American assistance to help Ukraine fight corruption, strengthen the rule of law, implement critical reform, bolster civil society, advance energy security. That brings our total of direct aid to almost \$760 million in direct assistance, in addition to loan guarantees since this crisis broke out. And that is not the end of what we're prepared to do if you keep moving.

But for Ukraine to continue to make progress and to keep the support of the international community you have to do more, as well. The big part of moving forward with your IMF program -- it requires difficult reforms. And they are difficult. Let me say parenthetically here, all the experts from our State Department and all the think tanks, and they come and tell you, that you know what you should do is you should deal with pensions. You should deal with -- as if it's easy to do. Hell, we're having trouble in America dealing with it. We're having trouble. To vote to raise the pension age is to write your political obituary in many places.

Don't misunderstand that those of us who serve in other democratic institutions don't understand how hard the conditions are, how difficult it is to cast some of the votes to meet the obligations committed to under the IMF. It requires sacrifices that might not be politically expedient or popular. But they're critical to putting Ukraine on the path to

a future that is economically secure. And I urge you to stay the course as hard as it is. Ukraine needs a budget that's consistent with your IMF commitments.

Anything else will jeopardize Ukraine's hard-won progress and drive down support for Ukraine from the international community, which is always tenuous. It's always tenuous. We keep pushing that support.

The Ukrainian people have long struggled to direct their own destinies, to carve out a place besides the mighty Dnipro, to claim their own identity, proud and distinct.

A great poet Taras Shevchenko wrote verse after verse declaiming the spirit of Ukraine, urging his fellow Ukrainians rise up and claim their liberty. His poem "The Testament" ends with this reflection. And I quote:

Then, in the mighty family

Of all men that are free,

May be sometimes, very softly

You will speak of me?

May be sometimes very softly you will speak of me. (Applause.)

Ladies and Gentlemen, I will speak of Ukraine. I will speak of the writer who took a beating on the Maidan to put him in the hospital. When asked why he sustained those injuries, why he was willing to endure it, he wrote: "People who don't protest injustice, they have no future."

I will speak of the young mother who gave up a lucrative career working on government reform. And then when asked why, she replied: "I have two small children and I cannot fight in the east. So this is what I can do for my country." (Applause.)

I will speak up for the university student who handed out food on the Maidan and later spoke about how those months changed. She said: "Now people don't think about what Ukraine can give them but about what they can give Ukraine."

I will speak of the men and women of this institution, a freely elected representative body of the people. I will speak of the sacrifices you've made. Nadiya Savchenko, the pioneering Ukrainian helicopter pilot who was elected to the Rada, despite being unjustly imprisoned in [sic] to this day. I will speak of her bravery, and many others will, as well. I will speak about how it's up to all of you to ensure the people of this land, once and for all -- that mighty family of all men that are free.

Ukraine's moment. It may be your last moment. Please for the sake of the rest of us, selfishly on my part, don't waste it. Seize the opportunity. Build a better future for the people of Ukraine.

There was a famous American politician when I was a young senator. He was in the other party -- very different ideology. But he said -- once in response to a question, he said, in your heart, in your heart, you know it's right. In your heart, you know what's right. You know. Do it. As long as you remain on that path, as long as you honor the obligation to the Ukrainian people, you never have to worry or doubt America and the United States will be by your side.

I hesitated to come to make this speech. The reason I did is not because a lack of affection for your country. But as a man who sat where you're sitting for 36 years as a United States senator, sometimes when a foreign leader would come to speak, I resented when he or she appeared to lecture us. I hope I don't come across as hectoring or lecturing you. Because that's not my intention. I just have -- as a fellow human being, I just have such hope in the promise of what you could deliver. It will spread far beyond the borders of Ukraine.

I used to wonder as a young senator when I first stood up on the Senate floor, and I've never been frightened of standing and speaking, I stood up and all of a sudden I realized that my desk is exactly where a senator, Daniel Webster, spoke from. I mean this sincerely. And for the first and only time in my career, I was seized with, my God, one of the great men in our history stood in this spot. And I wondered what it'd have been like to be in that first Congress that gave us our freedom, created what I consider to be a great and decent nation. Well, that's where you are. It's not hyperbole. That's

where each of you sit. If you succeed, you will be the founders of the first truly free, democratic, united Ukraine. An awesome responsibility, but what an incredible, incredible opportunity to serve your country.

Thank you so much for this opportunity to speak to you today. May God bless our two great nations and may God protect our troops. (Applause.)

END

12:33 P.M. (Local)

\*St. Michael's



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**From:**Nuland, Victoria J  
**Sent:**Wed, 30 Mar 2016 16:28:04 -0400  
**To:**Pyatt, Geoffrey R [REDACTED]  
**Subject:**RE: UA lobbyist

And they can't spell the President's name

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**From:** Pyatt, Geoffrey R  
**Sent:** Wednesday, March 30, 2016 12:18 AM  
**To:** Nuland, Victoria J; [REDACTED]  
**Subject:** UA lobbyist

So I see below Ukraine hired a new lobbyist – same firm that saw Kathy Novelli complaining about my pressure on the PGO's cover-up of the case against the disgraced Yanukovich era environment minister....

From: Karen Tramontano [<http://redirect.state.sbu/?url=mailto:Karen.Tramontano@bluestarstrategies.com>]  
Sent: Monday, March 28, 2016 11:21 AM  
To: McDonough, Denis R. EOP/WHO <[REDACTED]>  
Subject: Possible meeting

Dear Dennis,

I know you are extraordinarily busy – so I hesitate to even write. I am assisting the Office of the President (Ukraine) with his upcoming visit to the US. His Chief of Staff, Boris Lozhkin has asked whether it would be possible to meet you. While Lozhkin will be with President Porachenko throughout the visit, he will not be attending the dinner President Obama is hosting on 3/31 and wondered whether it would be possible to meet you during that time or if there is another time that would be more convenient for you ?Currently, Lozhkin arrives with the President on 3/30 and leaves with him on 4/1. Thank you Dennis for your consideration. I do hope you are doing well.

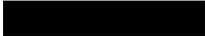
My best regards

Karen

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SBU  
This email is UNCLASSIFIED.

**From:**Kent, George P  
**Sent:**Tue, 6 Sep 2016 09:55:14 -0400  
**To:**Brink, Bridget A;Andrews, Jorgan K  
**Cc:**Yovanovitch, Marie L  
**Subject:**Bullying, threatening call by Blue Star's Sally Painter (Re Lutsenko)

Bridget, Jorgan:

Need to give you a heads up that I took a call just now from Sally Painter from Blue Star Strategies, the first time we have interacted. I am confident it will be the last. Nearly simultaneously her boss, Karen Tramontano, called on the other line asking to talk to the Ambassador (who is out on the run the rest of the day, event to event).

Painter adopted a hostile, aggressive tone from the outside, and was rude and accusatory throughout. It was unlike any conversation I have had in my 24+ years in the foreign service, and completely inappropriate on her part. She ended the conversation by saying that she would take the matter up with "The Under Secretary." (NFI)

The topic/issue was Prosecutor General Yuri Lutsenko, and his now cancelled plans to come to Washington – a trip that Blue Star had apparently been arranging.

I wasn't able to scribble notes to follow the specific accusations and bullying remarks. The crux of the accusation was that I had allegedly damaged her/firm's reputation to Lutsenko, and allegedly told him not to have anything to do with them (for the record: I did not tell him that. Full stop). She then proceeded to make rambling reference to "not representing Nikolai in the US" (I presume this is Zlochevsky), "because he has legal representation in the US, or Burisma" (Zlochevsky's company), and that she had represented Yushchenko's interests in the US for five years, and knew what was legal and what was not, and when it was required to register, that she was on the board of the Atlantic Council, and on a pro bono basis had been happy to arrange something with John Herbst (ie, for Lutsenko to speak), and that they also had offered a private dinner for Lutsenko that she and her partner Tramontano would have hosted for Lutsenko at no cost, to invite various people, important people, including Melanne Veveer, who was by the way close to former Secretary Clinton.

After I let her vent for close to five minutes and she reached a pause, I pointed out that we had never previously talked. I noted that her tone and accusations, including outright misrepresentations of my conversations with Lutsenko, was an odd way of initiating a first time conversation. I stated that the first time I had ever heard her name had been earlier this summer, when Dan Fried called and asked me if I would be willing to talk to her. I told Dan I would, and had passed my number. Painter jumped in and said: "you never called back." I reiterated that Dan had asked me if I would be willing to talk to her; I had said yes, and passed him my number, and never heard anything further.

I told her that, given the aggressive, threatening, bullying tone she had adopted and her misrepresentations of what I had said in the course of diplomatic discussion, I was within norms and my rights simply to wish her good day and hang up. I instead offered a partial reset, if she were interested (she was). I told her that I had met the Prosecutor General to talk about his proposed trip. I had given him the general advice that for a trip to Washington on which he would look to engage the USG, it made sense to work primarily through the US embassy here and the Ukrainian embassy in Washington. We

became aware of the trip because a senior DOJ official had reached out to the embassy for our reaction and what we knew of the trip.

Painter broke in at this point and said: “we know that. Government to government meetings would be the responsibility of the Ukrainian embassy.” This is in fact a false statement by Painter. Blue Star, through an associate who traveled with Tramontano to Kyiv in July and was previously a DOJ political appointee, reached out to DOJ itself; Bruce Schwartz then called RLA Jeff Cole about the visit. That is how we learned of the trip. I subsequently reached out to the Ukrainian acting DCM, Oksana, who indicated she knew nothing of the request to DOJ.

Beyond arranging govt-govt meetings, I continued, I had suggested to Lutsenko that the proposed timing of his trip (25-27 Sept) was not the best, because of UNGA and attention on international relations focused on New York in the second half of September, and the election season, with key people on the Hill out on the stump six weeks before the general election. That suggested an earlier or later trip.

Ukrainian officials had been known to have relations with third parties for other events, and that was their business. Ours was bilateral relations, and that had been my focus.

When Painter went back into interrogative mode, asking whether I had mentioned her company, I told her that it would not be appropriate to share the content of my conversation with the Prosecutor General. She referenced an email that Lutsenko sent “her” (Blue Star), and said I would have to answer if I damaged the reputation of her company, and that she would take it up with the Under Secretary (unspecified).

At that point, I told her I could not and would not presume to characterize Lutsenko’s private correspondence, while reminding that she had mischaracterized my conversations with Lutsenko. I wished her good day, and told her the conversation was over. And went back to my regularly scheduled business, since I had kept the visiting regional medical officer waiting in the meantime.

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Footnote1: Lutsenko told me he did not know who exactly had come to Kyiv and talked to him in July about coming to Washington. He said Blue Star had promised they could arrange access to high levels of the Clinton campaign, including someone who might lead her White House (my guess: Podesta, head of the campaign, for whom Tramontano worked in the last year of the Bill Clinton White House). The political angle of the trip is what interested him. I pulled up the Blue Star website on my phone and showed him photos of Tramantano (he said: “that’s her”). I showed him a picture of Painter (right underneath); he shook his head and replied: “never seen her.”

Footnote 2: When Dan Fried called me in the summer, asking if I would be willing to talk to Painter, the subject was Zlochevsky, and allegedly the bad reputational deal he was getting. I warned Dan this was a sticky wicket, that Zlochevsky was viewed as corrupt, not just in Ukraine but by the USG/FBI, that he almost certainly had paid a bribe to the PGO office (Yarema team) to have them close a case against Zlochevsky in December 2014 and issue a letter to that effect to Zlochevsky’s lawyer, who flipped it to a UK judge, who unfroze assets that the FBI and MI5 had spent months trying to make a case for asset repatriation – the first and so far only possible case, in an effort we collectively have spent hundreds of thousands of dollars. Furthermore, the presence of Hunter Biden on the Bursima board was very awkward for all US officials pushing an anti-corruption agenda in Ukraine. Dan then said: “Sally’s apparently been asked to gather information in an attempt to convince Hunter to sever the relationship.” I said he was free to pass my name and number to her, and I would be as forthright about

Zlochevsky and Burisma as I had been to him. I heard nothing further. From the conversation today with Painter, it would appear she is on a first name basis with Zlochevsky.

Footnote 3: after we learned of the possible Lutsenko trip by the DOJ-RLA interaction, I discussed with RLA, LEGATT, and INL possible next steps. We agreed I would SMS Lutsenko to seek confirmation of his plans, both to travel to DC and to use of a third party rather than embassies to arrange the trip. He responded with a request to meet one on one to discuss. We did – it slipped from Friday to Saturday, because on Friday Lutsenko released the Illovaik report regarding the August 2014 tragedy, and who was at fault (in short: the Russians, for invading/killing hundreds of Ukrainians after offering free passage; but “mistakes were made” by the Ukrainian general staff).

Sensitive  
This email is UNCLASSIFIED.

**From:** [REDACTED]  
**Sent:** Tue, 8 Dec 2015 14:20:24 -0500  
**To:** Nuland, Victoria J; Brink, Bridget A; Heffern, John A; [REDACTED]; Pyatt, Geoffrey R;  
**Cc:** EUR-Press  
**Subject:** RE: The New York Times

[Adding Lalley](#)

This email is UNCLASSIFIED.

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**From:** [REDACTED]  
**Sent:** Tuesday, December 08, 2015 2:13 PM  
**To:** Nuland, Victoria J; Brink, Bridget A; Heffern, John A; [REDACTED]; Pyatt, Geoffrey R;  
**Cc:** EUR-Press  
**Subject:** RE: The New York Times

[The Risen piece on Hunter Biden is out.](#)

The Knotty Ties Between Joe Biden, His Son and Ukraine

By JAMES RISEN  
DEC. 8, 2015  
The New York Times

WASHINGTON — When Vice President Joseph R. Biden Jr. traveled to Kiev, Ukraine, on Sunday for a series of meetings with the country's leaders, one of the issues on his agenda was to encourage a more aggressive fight against Ukraine's rampant corruption and stronger efforts to rein in the power of its oligarchs.

But the credibility of the vice president's anticorruption message may have been undermined by the association of his son, Hunter Biden, with one of Ukraine's largest natural gas companies, Burisma Holdings, and with its owner, Mykola Zlochevsky, who was Ukraine's ecology minister under former President Viktor F. Yanukovich.

Hunter Biden, 45, a former Washington lobbyist, joined the Burisma board in April 2014. That month, as part of an investigation into money laundering, British officials froze London bank accounts containing \$23 million that allegedly belonged to Mr. Zlochevsky.

Britain's Serious Fraud Office, an independent government agency, specifically forbade Mr. Zlochevsky, as well as Burisma Holdings, the company's chief legal officer and another company owned by Mr. Zlochevsky, to have any access to the accounts.

But after Ukrainian prosecutors refused to provide documents needed in the investigation, a British court in January ordered the Serious Fraud Office to unfreeze the assets. The refusal by the Ukrainian prosecutor general's office to cooperate was the target of a stinging attack by the American ambassador to Ukraine, Geoffrey R. Pyatt, who called out Burisma's owner by name in a speech in September.

"In the case of former Ecology Minister Mykola Zlochevsky, the U.K. authorities had seized \$23 million in illicit assets that belonged to the Ukrainian people," Mr. Pyatt said. Officials at the prosecutor general's office, he added, were asked by the United Kingdom "to send documents supporting the seizure. Instead they sent letters to Zlochevsky's attorneys attesting that there was no case against him. As a result, the money was freed by the U.K. court, and shortly thereafter the money was moved to Cyprus."

Mr. Pyatt went on to call for an investigation into "the misconduct" of the prosecutors who wrote the letters. In his speech, the ambassador did not mention Hunter Biden's connection to Burisma.

But Edward C. Chow, who follows Ukrainian policy at the Center for Strategic and International Studies, said the involvement of the vice president's son with Mr. Zlochevsky's firm undermined the Obama administration's anticorruption message in Ukraine.

"Now you look at the Hunter Biden situation, and on the one hand you can credit the father for sending the anticorruption message," Mr. Chow said. "But I think unfortunately it sends the message that a lot of foreign countries want to believe about America, that we are hypocritical about these issues."

Kate Bedingfield, a spokeswoman for Vice President Biden, said Hunter Biden's business dealings had no impact on his father's policy positions in connection with Ukraine.

"Hunter Biden is a private citizen and a lawyer," she said. "The vice president does not endorse any particular company and has no involvement with this company. The vice president has pushed aggressively for years, both publicly with groups like the U.S.-Ukraine Business Forum and privately in meetings with Ukrainian leaders, for Ukraine to make every effort to investigate and prosecute corruption in accordance with the rule of law. It will once again be a key focus during his trip this week."

Ryan F. Toohey, a Burisma spokesman, said that Hunter Biden would not comment for this article.

It is not known how Mr. Biden came to the attention of the company.

Announcing his appointment to the board, Alan Apter, a former Morgan Stanley investment banker who is chairman of Burisma, said, "The company's strategy is aimed at the strongest concentration of professional staff and the introduction of best corporate practices, and we're delighted that Mr. Biden is joining us to help us achieve these goals."

Joining the board at the same time was one of Mr. Biden's American business partners, Devon Archer. Both are involved with Rosemont Seneca Partners, an American investment firm with offices in Washington.

Mr. Biden is the younger of the vice president's two sons. His brother, Beau, died of brain cancer in May. In the past, Hunter Biden attracted an unusual level of scrutiny and even controversy. In 2014, he was discharged from the Navy Reserve after testing positive for cocaine use.

He received a commission as an ensign in 2013, and he served as a public affairs officer.

Before his father was vice president, Mr. Biden also briefly served as president of a hedge fund group, Paradigm Companies, in which he was involved with one of his uncles, James Biden, the vice president's brother. That deal went sour amid lawsuits in 2007 and 2008 involving the Bidens and an erstwhile business partner. Mr. Biden, a graduate of Georgetown University and Yale Law School, also worked as a lobbyist before his father became vice president.

Burisma does not disclose the compensation of its board members because it is a privately held company, Mr. Toohey said Monday, but he added that the amount was "not out of the ordinary" for similar corporate board positions.

Asked about the British investigation, which is continuing, Mr. Toohey said, "Not only was the case dismissed and the company vindicated by the outcome, but it speaks volumes that all his legal costs were recouped."

In response to Mr. Pyatt's criticism of the Ukrainian handling of Mr. Zlochevsky's case, Mr. Toohey said that "strong corporate governance and transparency are priorities shared both by the United States and the leadership of Burisma. Burisma is working to bring the energy sector into the modern era, which is critical for a free and strong Ukraine."

Vice President Biden has played a leading role in American policy toward Ukraine as Washington seeks to counter Russian intervention in Eastern Ukraine. This week's visit was his fifth trip to Ukraine as vice president.

Ms. Bedingfield said Hunter Biden had never traveled to Ukraine with his father. She also said that Ukrainian officials had never mentioned Hunter Biden's role with Burisma to the vice president during any of his visits.

"I've got to believe that somebody in the vice president's office has done some due diligence on this," said Steven Pifer, who was the American ambassador to Ukraine from 1998 to 2000. "I should say that I hope that has happened. I would hope that they have done some kind of check, because I think the vice president has done a very good job of sending the anticorruption message in Ukraine, and you would hate to see something like this undercut that message."

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**From:** Nuland, Victoria J  
**Sent:** Saturday, December 05, 2015 4:44 AM  
**To:** Brink, Bridget A; Heffern, John A; [REDACTED]; Pyatt, Geoffrey R; [REDACTED]; [REDACTED]  
**Subject:** Re: The New York Times

Old story. Amos has more.

---

**From:** Brink, Bridget A  
**Sent:** Saturday, December 5, 2015 1:39 AM  
**To:** Nuland, Victoria J; Heffern, [REDACTED], Alexander; Pyatt, Geoffrey R; [REDACTED]; [REDACTED]  
**Subject:** Fwd: The New York Times

Thanks, Nick. Copying Kyiv and Toria - fysa New York Times has complicated question involving VPs son and S's stepson's friend, both of whom are allegedly on the board of an Ukrainian energy company owned by a former Min of Ecology who was being pursued by UK for money laundering. The question also references Pyatts Sept speech which allegedly criticizes the GOU PGO for not supporting the UK prosecution - funds in dispute allegedly ultimately unfrozen and tranferred abroad. We're working PG below with VPs office.

Best, Bridget

---

**From:** Toner, Mark C [REDACTED]  
**Date:** December 4, 2015 at 4:39:15 PM EST  
**To:** EUR-Press [REDACTED] >, Brink, Bridget A <[REDACTED], [REDACTED]  
[REDACTED]  
**Cc:** [REDACTED] >, Kirby, John [REDACTED] >  
**Subject:** RE: The New York Times

Thanks [REDACTED] – happy to have you get back to Risen if that works.

Not sure who you're referring to by "travelers." You mean with VPOTUS?

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**From:** [REDACTED]  
**Sent:** Friday, December 04, 2015 1:16 PM  
**To:** Toner, Mark C; EUR-Press; Brink, Bridget A  
**Cc:** Kirby, John; [REDACTED]  
**Subject:** RE: The New York Times

Mark, following up on this Hunter Biden/Ukrainian gas company query.

We reached out to OVP/Press. Risen also pinged them on this, as did the WSJ in October—both are timed for the VP's visit to Ukraine.

OVP is tentatively planning to use the below lines to respond, but it is not finalized yet. Jonathan Lalley has been looped in from Kyiv and will have the OVP lines if it comes up locally.

"Hunter Biden is a private citizen and a lawyer. The Vice President does not endorse any particular company and has no involvement with this company. Regarding anti-corruption efforts in Ukraine, generally speaking, the Vice President has consistently said that Ukraine must make every effort to investigate and prosecute corruption in accordance with the rule of law."

OVP is happy for us to refer to them since this is 90% about the VP's family.

Do you want to get back to Risen referring him to OVP?

Risen also mentions Devon Archer, the friend of Chris Heinz (Kerry's stepson). Don't know if you want to flag for the travelers. If so, would suggest echoing the same draft lines as OVP, mocked-up below.

"Devon Archer is a private citizen. Secretary Kerry does not endorse any particular company and has no involvement with this company. Regarding anti-corruption efforts in Ukraine, generally speaking, the Secretary has consistently said that Ukraine must make every effort to investigate and prosecute corruption in accordance with the rule of law."

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**From:** Toner, Mark C  
**Sent:** Thursday, December 03, 2015 7:00 PM  
**To:** [REDACTED]; EUR-Press; Brink, Bridget A  
**Cc:** Kirby, John; [REDACTED]  
**Subject:** RE: The New York Times

Yes, good catch. Yes, please reach out to VPOTUS. We just need to figure out who will get back to Risen and what we'll tell him.

Also we need to let Geoff know about this since Risen's question is directed at him. Not sure why he didn't reach out to him directly.

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**From:** [REDACTED]  
**Sent:** Thursday, December 03, 2015 6:11 PM  
**To:** Toner, Mark C; EUR-Press; Brink, Bridget A  
**Cc:** Kirby, John; [REDACTED]  
**Subject:** RE: The New York Times

Forgot to add on the timing that Biden will be in Ukraine early next week.

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**From:** [REDACTED]  
**Sent:** Thursday, December 03, 2015 6:04 PM  
**To:** Toner, Mark C; EUR-Press; Brink, Bridget A  
**Cc:** Kirby, John; [REDACTED]  
**Subject:** RE: The New York Times

This is a new spin on an old story and is ultimately about VPOTUS (and S, but to a lesser degree).

Hunter Biden was named to the board of directors of this Ukrainian gas company in early 2014. There was some swirl at the time and Jay Carney said on the record that "Hunter Biden and other members of the Biden family are obviously private citizens, and where they work does not reflect an endorsement by the administration or by the vice president or president." Kendra from OVP also said on the record that the Vice-President "does not endorse any particular company and has no involvement with this company."

Devon Archer is also on the board, but the relationship is little less direct—college roommate of Chris Heinz, Secretary Kerry's stepson.

The story has popped up a few times in the interim, mostly with the nepotism angle.

Imagine our lines on this would echo Carney's above—private citizens, no reflection on administration position.

We can reach out to Kendra at OVP if you would like us to.

[REDACTED]

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**From:** Toner, Mark C  
**Sent:** Thursday, December 03, 2015 4:29 PM  
**To:** EUR-Press; Brink, Bridget A  
**Cc:** Kirby, John; [REDACTED]  
**Subject:** Fwd: The New York Times

Flagging this very complicated query from James Risen - it obviously has VPOTUS equities as well. Not sure when he's writing for. I can talk to him but I know nothing about this case or Geoff's comments. Appreciate any guidance you guys can provide on how to proceed. We obviously would also need Geoff's input.

Thanks!

Mark

---

**From:** Risen, James <[risenj@nytimes.com](mailto:risenj@nytimes.com)>  
**Date:** December 3, 2015 at 4:04:28 PM EST  
**To:** Toner, Mark C [REDACTED] >  
**Subject:** The New York Times

Hi. I'm doing a story related to the Ukraine. US Ambassador Geoffrey Pyatt gave a speech in Odessa on Sept. 24th in which he criticized Ukrainian prosecutors for failing to support a British investigation of former Ukrainian Ecology Minister Mykola Zlochevsky, in which British authorities froze \$23 million from Zlochevsky's accounts and were investigating him for money laundering. Ambassador Pyatt said that Ukrainian prosecutors refused to help in the investigation, and instead told Zlochevsky's attorneys that there was no case against him. As a result the money was unfrozen and quickly moved to Cyprus by Zlochevsky. Amb. Pyatt called for the Ukrainian prosecutors involved to be investigated and terminated. Mr. Zlochevsky is the owner of Burisma Holdings, a natural gas company incorporated in Cyprus. Hunter Biden, the son of Vice President Biden, is a member of the Burisma board of directors. So is Devon Archer, a close friend of Chris Heinz, the stepson of Secretary Kerry. Ambassador Pyatt did not mention the roles played by Hunter Biden or Devon Archer with Mr. Zlochevsky's company during his speech. Does Ambassador Pyatt believe that Mr. Biden and Mr. Archer should not be involved in Mr. Zlochevsky's business? Could I talk to you about this?

Thanks very much.  
James Risen  
The New York Times  
[REDACTED]

United States Senate  
WASHINGTON, DC 20510

February 12, 2016

H.E. Petro Poroshenko  
President of Ukraine  
Presidential Administration of Ukraine  
11 Bankova Street  
Kyiv, Ukraine 01220

Dear President Poroshenko,

As members of the U.S. Senate Ukraine Caucus and strong supporters of your government, we write to express our concern regarding the recent resignation of Minister of Economy Aivaras Abromavičius and his allegations of persistent corruption in the Ukrainian political system.

During the past year, Mr. Abromavičius and his team implemented tough but necessary economic reforms, worked to combat endemic corruption, and promoted more openness and transparency in government. He was known to many of us as a respected reformer and supporter of the Ukrainian cause. Minister Abromavičius's allegations raise concerns about the enormous challenges that remain in your efforts to reform the corrupt system you inherited.

We recognize that your governing coalition faces not only endemic corruption left from decades of mismanagement and cronyism, but also an illegal armed seizure of territory by Russia and its proxies. Tackling such obstacles to reforms amidst a war and the loss of much of southeastern Ukraine's economic productivity is a formidable challenge -- one which we remain committed to helping you overcome.

Succeeding in these reforms will show Russian President Vladimir Putin that an independent, transparent, and democratic Ukraine can and will succeed. It also offers a stark alternative to the authoritarianism and oligarchic cronyism prevalent in Russia. As such, we respectfully ask that you address the serious concerns raised by Minister Abromavičius. We similarly urge you to press ahead with urgent reforms to the Prosecutor General's office and judiciary. The unanimous adoption by the Cabinet of Ministers of the Basic Principles and Action Plan is a good step.

We very much appreciate your leadership and commitment to reform since the Ukrainian people demonstrated their resolve on the Maidan two years ago, and we look forward to continued cooperation in the future.

Sincerely,

*Rob Portman*

Senator Rob Portman

*Dick Durbin* *Jeanne Shaheen*

Senator Richard J. Durbin

Senator Jeanne Shaheen

*Ron Johnson*

Senator Ron Johnson

*Chris Murphy* *Mark Kirk*

Senator Chris Murphy

Senator Mark Kirk

*Richard Blumenthal*

Senator Richard Blumenthal

*Sherrod Brown*

Senator Sherrod Brown



# GOP senator says he doesn't remember signing 2016 letter urging 'reform' of Ukraine prosecutor's office

BY ZACK BUDRYK - 10/03/19 06:00 PM EDT

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Sen. Ron Johnson (R-Wis.) told reporters Thursday he did not recall signing a letter urging reforms in the office of the Ukrainian prosecutor President Trump has alleged former Vice President Joe Biden improperly had ousted, [The Milwaukee Journal-Sentinel reported](#).

Trump has repeatedly alleged Biden used his office to have Prosecutor General Viktor Shokin fired and prevent him from investigating a gas company whose board included Biden's son Hunter.

CNN on Thursday reported that three Republican senators, including Johnson, Sen. Rob Portman (R-Ohio) and then-Sen. Mark Kirk (R-Ill.) [signed a 2016 letter](#) urging "urgent reforms to the Prosecutor General's office and Judiciary."

"I send out all kinds of oversight letters ... I don't know which 2016 oversight letter you're referring to so I will look at that and then we'll issue a press release, statement, or something — but I don't engage in hypocrisy. I'm looking at getting the truth," Johnson said when asked about the letter.

Johnson did acknowledge the letter in an interview Thursday on WIBA's "The Vicki McKenna Show," saying "The whole world, by the way, including the Ukrainian caucus, which I signed the letter, the whole world felt that

this that Sholkin wasn't doing a [good] enough job. So we were saying hey you've ... got to rid yourself of corruption."

In the first interview, Johnson also said there was no misconduct in Trump's call on Thursday for China to investigate Biden and his son.

"If there's potential criminal activity, the President of the United States is our chief law enforcement officer. We have proper agreements with countries to investigate potential crimes so I don't think there's anything improper about doing that," he said.

Even as he endorsed investigations by both China and Ukrainian officials, Johnson denied the July 25 call between Trump and Ukrainian President Volodymyr Zelensky at the heart of a whistleblower complaint represented Trump pressuring Zelensky to investigate the Bidens.

"I look at that transcript and I go, it's Trump being Trump," Johnson said, according to the Journal-Sentinel.

In a statement, Andrew Bates, rapid response director for the Biden campaign, told The Hill: "'The United States, the European Union, the I.M.F., and Ukraine's leading reform figures were all pressing for Viktor Shokin to be removed from office because he was one of the biggest obstacles to fighting corruption in the entire country. This was a bipartisan goal in Congress as well."

"It is unfortunate that Senator Johnson seems to have forgotten a time when he put the country's values over his own politics, but perhaps re-reading his well-articulated words whole-heartedly agreeing with Joe Biden's push to move the anti-corruption cause in Ukraine forward will help him on his journey back to intellectual consistency," Bates added.

Updated: 9:35 p.m.

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# United States Senate

WASHINGTON, DC 20510

November 18, 2019

The Honorable Jim Jordan  
Ranking Member  
Committee on Oversight and Reform

The Honorable Devin Nunes  
Ranking Member  
Permanent Select Committee on Intelligence

Dear Congressman Jordan and Congressman Nunes:

I write in response to your letter dated Nov. 16, 2019. You requested “any firsthand information ... about President Trump’s actions toward Ukraine between April and September 2019.” Attached, please find an accurate accounting of the information that I believe is relevant to your request.

I hope you find this helpful.

Sincerely,



Ron Johnson  
United States Senator

# United States Senate

WASHINGTON, DC 20510

November 18, 2019

The Honorable Jim Jordan  
Ranking Member  
Committee on Oversight and Reform

The Honorable Devin Nunes  
Ranking Member  
Permanent Select Committee on Intelligence

Dear Congressman Jordan and Congressman Nunes:

I am writing in response to the request of Ranking Members Nunes and Jordan to provide my first-hand information and resulting perspective on events relevant to the House impeachment inquiry of President Trump. It is being written in the middle of that inquiry — after most of the depositions have been given behind closed doors, but before all the public hearings have been held.

I view this impeachment inquiry as a continuation of a concerted, and possibly coordinated, effort to sabotage the Trump administration that probably began in earnest the day after the 2016 presidential election. The latest evidence of this comes with the reporting of a Jan. 30, 2017 tweet (10 days after Trump's inauguration) by one of the whistleblower's attorneys, Mark Zaid: “#coup has started. First of many steps. #rebellion. #impeachment will follow ultimately.”

But even prior to the 2016 election, the FBI's investigation and exoneration of former Secretary of State Hillary Clinton, combined with Fusion GPS' solicitation and dissemination of the Steele dossier — and the FBI's counterintelligence investigation based on that dossier — laid the groundwork for future sabotage. As a result, my first-hand knowledge and involvement in this saga began with the revelation that former Secretary of State Hillary Clinton kept a private e-mail server.

I have been chairman of the Senate Committee on Homeland Security and Governmental Affairs (HSGAC) since January 2015. In addition to its homeland security portfolio, the committee also is charged with general oversight of the federal government. Its legislative jurisdiction includes federal records. So when the full extent of Clinton's use of a private server became apparent in March 2015, HSGAC initiated an oversight investigation.

Although many questions remain unanswered from that scandal, investigations resulting from it by a number of committees, reporters and agencies have revealed multiple facts and episodes that are similar to aspects of the latest effort to find grounds for impeachment. In particular, the political bias revealed in the Strzok/Page texts, use of the discredited Steele dossier to initiate and sustain the FBI's counterintelligence investigation and FISA warrants, and leaks to the

media that created the false narrative of Trump campaign collusion with Russia all fit a pattern and indicate a game plan that I suspect has been implemented once again. It is from this viewpoint that I report my specific involvement in the events related to Ukraine and the impeachment inquiry.

I also am chairman of the Subcommittee on Europe and Regional Security Cooperation of the Senate Foreign Relations Committee. I have made six separate trips to Ukraine starting in April 2011. Most recently, I led two separate Senate resolutions calling for a strong U.S. and NATO response to Russian military action against Ukraine's navy in the Kerch Strait. I traveled to Ukraine to attend president-elect Volodymyr Zelensky's inauguration held on May 20, and again on Sept. 5 with U.S. Sen. Chris Murphy to meet with Zelensky and other Ukrainian leaders.

Following the Orange Revolution, and even more so after the Maidan protests, the Revolution of Dignity, and Russia's illegal annexation of Crimea and invasion of eastern Ukraine, support for the people of Ukraine has been strong within Congress and in both the Obama and Trump administrations. There was also universal recognition and concern regarding the level of corruption that was endemic throughout Ukraine. In 2015, Congress overwhelmingly authorized \$300 million of security assistance to Ukraine, of which \$50 million was to be available only for lethal defensive weaponry. The Obama administration never supplied the authorized lethal defensive weaponry, but President Trump did.

Zelensky won a strong mandate — 73% — from the Ukrainian public to fight corruption. His inauguration date was set on very short notice, which made attending it a scheduling challenge for members of Congress who wanted to go to show support. As a result, I was the only member of Congress joining the executive branch's inaugural delegation led by Energy Secretary Rick Perry, Special Envoy Kurt Volker, U.S. Ambassador to the European Union Gordon Sondland, and Lt. Col. Alexander Vindman, representing the National Security Council. I arrived the evening before the inauguration and, after attending a country briefing provided by U.S. embassy staff the next morning, May 20, went to the inauguration, a luncheon following the inauguration, and a delegation meeting with Zelensky and his advisers.

The main purpose of my attendance was to demonstrate and express my support and that of the U.S. Congress for Zelensky and the people of Ukraine. In addition, the delegation repeatedly stressed the importance of fulfilling the election mandate to fight corruption, and also discussed the priority of Ukraine obtaining sufficient inventories of gas prior to winter.

Two specific points made during the meetings stand out in my memory as being relevant.

The first occurred during the country briefing. I had just finished making the point that supporting Ukraine was essential because it was ground zero in our geopolitical competition with Russia. I was surprised when Vindman responded to my point. He stated that it was the position of the NSC that our relationship with Ukraine should be kept separate from our geopolitical competition with Russia. My blunt response was, "How in the world is that even possible?"

I do not know if Vindman accurately stated the NSC's position, whether President Trump shared that viewpoint, or whether Vindman was really just expressing his own view. I raise this point because I believe that a significant number of bureaucrats and staff members within the executive branch have never accepted President Trump as legitimate and resent his unorthodox style and his intrusion onto their "turf." They react by leaking to the press and participating in the ongoing effort to sabotage his policies and, if possible, remove him from office. It is entirely possible that Vindman fits this profile.

Quotes from the transcript of Vindman's opening remarks and his deposition reinforce this point and deserve to be highlighted. Vindman testified that an "alternative narrative" pushed by the president's personal attorney, Rudy Giuliani, was "inconsistent with the consensus views of the" relevant federal agencies and was "undermining the consensus policy."

Vindman's testimony, together with other witnesses' use of similar terms such as "our policy," "stated policy," and "long-standing policy" lend further credence to the point I'm making. Whether you agree with President Trump or not, it should be acknowledged that the Constitution vests the power of conducting foreign policy with the duly elected president. American foreign policy is what the president determines it to be, not what the "consensus" of unelected foreign policy bureaucrats wants it to be. If any bureaucrats disagree with the president, they should use their powers of persuasion within their legal chain of command to get the president to agree with their viewpoint. In the end, if they are unable to carry out the policy of the president, they should resign. They should not seek to undermine the policy by leaking to people outside their chain of command.

The other noteworthy recollection involves how Perry conveyed the delegation concern over rumors that Zelensky was going to appoint Andriy Bohdan, the lawyer for oligarch Igor Kolomoisky, as his chief of staff. The delegation viewed Bohdan's rumored appointment to be contrary to the goal of fighting corruption and maintaining U.S. support. Without naming Bohdan, Secretary Perry made U.S. concerns very clear in his remarks to Zelensky.

Shortly thereafter, ignoring U.S. advice, Zelensky did appoint Bohdan as his chief of staff. This was not viewed as good news, but I gave my advice on how to publicly react in a text to Sondland on May 22: *"Best case scenario on COS: Right now Zelensky needs someone he can trust. I'm not a fan of lawyers, but they do represent all kinds of people. Maybe this guy is a patriot. He certainly understands the corruption of the oligarchs. Could be the perfect guy to advise Zelensky on how to deal with them. Zelensky knows why he got elected. For now, I think we express our concerns, but give Zelensky the benefit of the doubt. Also let him know everyone in the U.S. will be watching VERY closely."*

At the suggestion of Sondland, the delegation (Perry, Volker, Sondland and me) proposed a meeting with President Trump in the Oval Office. The purpose of the meeting was to brief the president on what we learned at the inauguration, and convey our impressions of Zelensky and the current political climate in Ukraine. The delegation uniformly was impressed with Zelensky, understood the difficult challenges he faced, and went into the meeting hoping to obtain President Trump's strong support for Zelensky and the people of Ukraine. Our specific

goals were to obtain a commitment from President Trump to invite Zelensky to meet in the Oval Office, to appoint a U.S. ambassador to Ukraine who would have strong bipartisan support, and to have President Trump publicly voice his support.

Our Oval Office meeting took place on May 23. The four members of the delegation sat lined up in front of President Trump's desk. Because we were all directly facing the president, I do not know who else was in attendance sitting or standing behind us. I can't speak for the others, but I was very surprised by President Trump's reaction to our report and requests.

He expressed strong reservations about supporting Ukraine. He made it crystal clear that he viewed Ukraine as a thoroughly corrupt country both generally and, specifically, regarding rumored meddling in the 2016 election. Volker summed up this attitude in his testimony by quoting the president as saying, "They are all corrupt. They are all terrible people. ... I don't want to spend any time with that." I do not recall President Trump ever explicitly mentioning the names Burisma or Biden, but it was obvious he was aware of rumors that corrupt actors in Ukraine might have played a part in helping create the false Russia collusion narrative.

Of the four-person delegation, I was the only one who did not work for the president. As a result, I was in a better position to push back on the president's viewpoint and attempt to persuade him to change it. I acknowledged that he was correct regarding endemic corruption. I said that we weren't asking him to support corrupt oligarchs and politicians but to support the Ukrainian people who had given Zelensky a strong mandate to fight corruption. I also made the point that he and Zelensky had much in common. Both were complete outsiders who face strong resistance from entrenched interests both within and outside government. Zelensky would need much help in fulfilling his mandate, and America's support was crucial.

It was obvious that his viewpoint and reservations were strongly held, and that we would have a significant sales job ahead of us getting him to change his mind. I specifically asked him to keep his viewpoint and reservations private and not to express them publicly until he had a chance to meet Zelensky. He agreed to do so, but he also added that he wanted Zelensky to know exactly how he felt about the corruption in Ukraine prior to any future meeting. I used that directive in my Sept. 5 meeting with Zelensky in Ukraine.

One final point regarding the May 23 meeting: I am aware that Sondland has testified that President Trump also directed the delegation to work with Rudy Giuliani. I have no recollection of the president saying that during the meeting. It is entirely possible he did, but because I do not work for the president, if made, that comment simply did not register with me. I also remember Sondland staying behind to talk to the president as the rest of the delegation left the Oval Office.

I continued to meet in my Senate office with representatives from Ukraine: on June 13 with members of the Ukrainian Parliament's Foreign Affairs Committee; on July 11 with Ukraine's ambassador to the U.S. and secretary of Ukraine's National Security and Defense Council, Oleksandr Danyliuk; and again on July 31 with Ukraine's ambassador to the U.S., Valeriy Chaly. At no time during those meetings did anyone from Ukraine raise the issue of the withholding of

military aid or express concerns regarding pressure being applied by the president or his administration.

During Congress' August recess, my staff worked with the State Department and others in the administration to plan a trip to Europe during the week of Sept. 2 with Senator Murphy to include Russia, Serbia, Kosovo and Ukraine. On or around Aug. 26, we were informed that our requests for visas into Russia were denied. On either Aug. 28 or 29, I became aware of the fact that \$250 million of military aid was being withheld. This news would obviously impact my trip and discussions with Zelensky.

Sondland had texted me on Aug. 26 remarking on the Russian visa denial. I replied on Aug. 30, apologizing for my tardy response and requesting a call to discuss Ukraine. We scheduled a call for sometime between 12:30 p.m. and 1:30 p.m. that same day. I called Sondland and asked what he knew about the hold on military support. I did not memorialize the conversation in any way, and my memory of exactly what Sondland told me is far from perfect. I was hoping that his testimony before the House would help jog my memory, but he seems to have an even fuzzier recollection of that call than I do.

The most salient point of the call involved Sondland describing an arrangement where, if Ukraine did something to demonstrate its serious intention to fight corruption and possibly help determine what involvement operatives in Ukraine might have had during the 2016 U.S. presidential campaign, then Trump would release the hold on military support.

I have stated that I winced when that arrangement was described to me. I felt U.S. support for Ukraine was essential, particularly with Zelensky's new and inexperienced administration facing an aggressive Vladimir Putin. I feared any sign of reduced U.S. support could prompt Putin to demonstrate even more aggression, and because I was convinced Zelensky was sincere in his desire to fight corruption, this was no time to be withholding aid for any reason. It was the time to show maximum strength and resolve.

I next put in a call request for National Security Adviser John Bolton, and spoke with him on Aug. 31. I believe he agreed with my position on providing military assistance, and he suggested I speak with both the vice president and president. I requested calls with both, but was not able to schedule a call with Vice President Pence. President Trump called me that same day.

The purpose of the call was to inform President Trump of my upcoming trip to Ukraine and to try to persuade him to authorize me to tell Zelensky that the hold would be lifted on military aid. The president was not prepared to lift the hold, and he was consistent in the reasons he cited. He reminded me how thoroughly corrupt Ukraine was and again conveyed his frustration that Europe doesn't do its fair share of providing military aid. He specifically cited the sort of conversation he would have with Angela Merkel, chancellor of Germany. To paraphrase President Trump: "Ron, I talk to Angela and ask her, 'Why don't you fund these things,' and she tells me, 'Because we know you will.' We're schmucks. Ron. We're schmucks."

I acknowledged the corruption in Ukraine, and I did not dispute the fact that Europe could and should provide more military support. But I pointed out that Germany was opposed to providing Ukraine lethal defensive weaponry and simply would not do so. As a result, if we wanted to deter Russia from further aggression, it was up to the U.S. to provide it.

I had two additional counterarguments. First, I wasn't suggesting we support the oligarchs and other corrupt Ukrainians. Our support would be for the courageous Ukrainians who had overthrown Putin's puppet, Viktor Yanukovich, and delivered a remarkable 73% mandate in electing Zelensky to fight corruption. Second, I argued that withholding the support looked horrible politically in that it could be used to bolster the "Trump is soft on Russia" mantra.

It was only after he reiterated his reasons for not giving me the authority to tell Zelensky the support would be released that I asked him about whether there was some kind of arrangement where Ukraine would take some action and the hold would be lifted. Without hesitation, President Trump immediately denied such an arrangement existed. As reported in the Wall Street Journal, I quoted the president as saying, "(Expletive deleted) — No way. I would never do that. Who told you that?" I have accurately characterized his reaction as adamant, vehement and angry — there was more than one expletive that I have deleted.

Based on his reaction, I felt more than a little guilty even asking him the question, much less telling him I heard it from Sondland. He seemed even more annoyed by that, and asked me, "Who is that guy?" I interpreted that not as a literal question — the president did know whom Sondland was — but rather as a sign that the president did not know him well. I replied by saying, "I thought he was your buddy from the real estate business." The president replied by saying he barely knew him.

After discussing Ukraine, we talked about other unrelated matters. Finally, the president said he had to go because he had a hurricane to deal with. He wrapped up the conversation referring back to my request to release the hold on military support for Ukraine by saying something like, "Ron, I understand your position. We're reviewing it now, and you'll probably like my final decision."

On Tuesday, Sept. 3, I had a short follow up call with Bolton to discuss my upcoming trip to Ukraine, Serbia and Kosovo. I do not recall discussing anything in particular that relates to the current impeachment inquiry on that call.

We arrived in Kyiv on Sept. 4, joining Taylor and Murphy for a full day of meetings on Sept. 5 with embassy staff, members of the new Ukrainian administration, and Zelensky, who was accompanied by some of his top advisers. We also attended the opening proceedings of the Ukrainian High Anti-Corruption Court. The meetings reinforced our belief that Zelensky and his team were serious about fulfilling his mandate — to paraphrase the way he described it in his speech at the High Anti-Corruption Court — to not only fight corruption but to defeat it.

The meeting with Zelensky started with him requesting we dispense with the usual diplomatic opening and get right to the issue on everyone's mind, the hold being placed on military support.

He asked if any of us knew the current status. Because I had just spoken to President Trump, I fielded his question and conveyed the two reasons the president told me for his hold. I explained that I had tried to persuade the president to authorize me to announce the hold was released but that I was unsuccessful.

As much as Zelensky was concerned about losing the military aid, he was even more concerned about the signal that would send. I shared his concern. I suggested that in our public statements we first emphasize the universal support that the U.S. Congress has shown — and will continue to show — for the Ukrainian people. Second, we should minimize the significance of the hold on military aid as simply a timing issue coming a few weeks before the end of our federal fiscal year. Even if President Trump and the deficit hawks within his administration decided not to obligate funding for the current fiscal year, Congress would make sure he had no option in the next fiscal year — which then was only a few weeks away. I also made the point that Murphy was on the Appropriations Committee and could lead the charge on funding.

Murphy made the additional point that one of the most valuable assets Ukraine possesses is bipartisan congressional support. He warned Zelensky not to respond to requests from American political actors or he would risk losing Ukraine's bipartisan support. I did not comment on this issue that Murphy raised.

Instead, I began discussing a possible meeting with President Trump. I viewed a meeting between the two presidents as crucial for overcoming President Trump's reservations and securing full U.S. support. It was at this point that President Trump's May 23 directive came into play.

I prefaced my comment to Zelensky by saying, "Let me go out on a limb here. Are you or any of your advisers aware of the inaugural delegation's May 23 meeting in the Oval Office following your inauguration?" No one admitted they were, so I pressed on. "The reason I bring up that meeting is that I don't want you caught off-guard if President Trump reacts to you the same way he reacted to the delegation's request for support for Ukraine."

I told the group that President Trump explicitly told the delegation that he wanted to make sure Zelensky knew exactly how he felt about Ukraine before any meeting took place. To repeat Volker's quote of President Trump: "They are all corrupt. They are all terrible people. ... I don't want to spend any time with that." That was the general attitude toward Ukraine that I felt President Trump directed us to convey. Since I did not have Volker's quote to use at the time, I tried to portray that strongly held attitude and reiterated the reasons President Trump consistently gave me for his reservations regarding Ukraine: endemic corruption and inadequate European support.

I also conveyed the counterarguments I used (unsuccessfully) to persuade the president to lift his hold: 1) We would be supporting the people of Ukraine, not corrupt oligarchs, and 2) withholding military support was not politically smart. Although I recognized how this next point would be problematic, I also suggested any public statement Zelensky could make asking for greater support from Europe would probably be viewed favorably by President Trump.

Finally, I commented on how excellent Zelensky's English was and encouraged him to use English as much as possible in a future meeting with President Trump. With a smile on his face, he replied, "But Senator Johnson, you don't realize how beautiful my Ukrainian is." I jokingly conceded the point by saying I was not able to distinguish his Ukrainian from his Russian.

This was a very open, frank, and supportive discussion. There was no reason for anyone on either side not to be completely honest or to withhold any concerns. At no time during this meeting — or any other meeting on this trip — was there any mention by Zelensky or any Ukrainian that they were feeling pressure to do anything in return for the military aid, not even after Murphy warned them about getting involved in the 2020 election — which would have been the perfect time to discuss any pressure.

Following the meeting with Zelensky and his advisers, Murphy and I met with the Ukrainian press outside the presidential office building. Our primary message was that we were in Kyiv to demonstrate our strong bipartisan support for the people of Ukraine. We were very encouraged by our meetings with Zelensky and other members of his new government in their commitment to fulfill their electoral mandate to fight and defeat corruption. When the issue of military support was raised, I provided the response I suggested above: I described it as a timing issue at the end of a fiscal year and said that, regardless of what decision President Trump made on the fiscal year 2019 funding, I was confident Congress would restore the funding in fiscal year 2020. In other words: Don't mistake a budget issue for a change in America's strong support for the people of Ukraine.

Congress came back into session on Sept. 9. During a vote early in the week, I approached one of the co-chairs of the Senate Ukraine Caucus, U.S. Sen. Richard Durbin. I briefly described our trip to Ukraine and the concerns Zelensky and his advisers had over the hold on military support. According to press reports, Senator Durbin stated that was the first time he was made aware of the hold. I went on to describe how I tried to minimize the impact of that hold by assuring Ukrainians that Congress could restore the funding in fiscal year 2020. I encouraged Durbin, as I had encouraged Murphy, to use his membership on the Senate Appropriations Committee to restore the funding.

Also according to a press report, leading up to a Sept. 12 defense appropriation committee markup, Durbin offered an amendment to restore funding. On Sept. 11, the administration announced that the hold had been lifted. I think it is important to note the hold was lifted only 14 days after its existence became publicly known, and 55 days after the hold apparently had been placed.

On Friday, Oct. 4, I saw news reports of text messages that Volker had supplied the House of Representatives as part of his testimony. The texts discussed a possible press release that Zelensky might issue to help persuade President Trump to offer an Oval Office meeting. Up to that point, I had publicly disclosed only the first part of my Aug. 31 phone call with President Trump, where I lobbied him to release the military aid and he provided his consistent reasons for not doing so: corruption and inadequate European support.

Earlier in the week, I had given a phone interview with Siobhan Hughes of the Wall Street Journal regarding my involvement with Ukraine. With the disclosure of the Volker texts, I felt it was important to go on the record with the next part of my Aug. 31 call with President Trump: his denial. I had not previously disclosed this because I could not precisely recall what Sondland had told me on Aug. 30, and what I had conveyed to President Trump, regarding action Ukraine would take before military aid would be released. To the best of my recollection, the action described by Sondland on Aug. 30 involved a demonstration that the new Ukrainian government was serious about fighting corruption — something like the appointment of a prosecutor general with high integrity.

I called Hughes Friday morning, Oct. 4, to update my interview. It was a relatively lengthy interview, almost 30 minutes, as I attempted to put a rather complex set of events into context. Toward the tail end of that interview, Hughes said, “It almost sounds like, the way you see it, Gordon was kind of freelancing and he took it upon himself to do something that the president hadn’t exactly blessed, as you see it.” I replied, “That’s a possibility, but I don’t know that. Let’s face it: The president can’t have his fingers in everything. He can’t be stage-managing everything, so you have members of his administration trying to create good policy.”

To my knowledge, most members of the administration and Congress dealing with the issues involving Ukraine disagreed with President Trump’s attitude and approach toward Ukraine. Many who had the opportunity and ability to influence the president attempted to change his mind. I see nothing wrong with U.S. officials working with Ukrainian officials to demonstrate Ukraine’s commitment to reform in order to change President Trump’s attitude and gain his support.

Nor is it wrong for administration staff to use their powers of persuasion within their chain of command to influence policy. What is wrong is for people who work for, and at the pleasure of, the president to believe they set U.S. foreign policy instead of the duly elected president doing so. It also would be wrong for those individuals to step outside their chain of command — or established whistleblower procedures — to undermine the president’s policy. If those working for the president don’t feel they can implement the president’s policies in good conscience, they should follow Gen. James Mattis’ example and resign. If they choose to do so, they can then take their disagreements to the public. That would be the proper and high-integrity course of action.

This impeachment effort has done a great deal of damage to our democracy. The release of transcripts of discussions between the president of the United States and another world leader sets a terrible precedent that will deter and limit candid conversations between the president and world leaders from now on. The weakening of executive privilege will also limit the extent to which presidential advisers will feel comfortable providing “out of the box” and other frank counsel in the future.

In my role as chairman of the Senate’s primary oversight committee, I strongly believe in and support whistleblower protections. But in that role, I am also aware that not all whistleblowers

are created equal. Not every whistleblower has purely altruistic motives. Some have personal axes to grind against a superior or co-workers. Others might have a political ax to grind.

The Intelligence Community Inspector General acknowledges the whistleblower in this instance exhibits some measure of “an arguable political bias.” The whistleblower’s selection of attorney Mark Zaid lends credence to the ICIG’s assessment, given Zaid’s tweet that mentions coup, rebellion and impeachment only 10 days after Trump’s inauguration.

If the whistleblower’s intention was to improve and solidify the relationship between the U.S. and Ukraine, he or she failed miserably. Instead, the result has been to publicize and highlight the president’s deeply held reservations toward Ukraine that the whistleblower felt were so damaging to our relationship with Ukraine and to U.S. national security. The dispute over policy was being resolved between the two branches of government before the whistleblower complaint was made public. All the complaint has accomplished is to fuel the House’s impeachment desire (which I believe was the real motivation), and damage our democracy as described above.

America faces enormous challenges at home and abroad. My oversight efforts have persuaded me there has been a concerted effort, probably beginning the day after the November 2016 election, to sabotage and undermine President Trump and his administration. President Trump, his supporters, and the American public have a legitimate and understandable desire to know if wrongdoing occurred directed toward influencing the 2016 election or sabotaging Trump’s administration. The American public also has a right to know if no wrongdoing occurred. The sooner we get answers to the many unanswered questions, the sooner we can attempt to heal our severely divided nation and turn our attention to the many daunting challenges America faces.

Sincerely,



Ron Johnson  
United States Senator

cc: The Honorable Michael T. McCaul  
Ranking Member  
Committee on Foreign Affairs

The Honorable Carolyn B. Maloney  
Acting Chairwoman  
Committee on Oversight and Reform

The Honorable Eliot Engel  
Chairman  
Committee on Foreign Affairs

The Honorable Adam Schiff  
Chairman  
Permanent Select Committee on Intelligence

# United States Senate

WASHINGTON, DC 20510

April 30, 2020

The Honorable Michael R. Pompeo  
Secretary of State  
2201 C Street, NW  
Washington, DC 20520

Dear Secretary Pompeo:

As we explained to you in our letter on November 6, 2019, the Committee on Homeland Security and Governmental Affairs and the Committee on Finance (the Committees) continue to examine potential conflicts of interest relating to the Obama administration's policy decisions with respect to Ukraine and Burisma Holdings. In addition, the Committees are examining the extent to which representatives of Burisma used individuals with close personal connections to high-level officials within the Obama administration to gain access to and potentially influence U.S. government agencies.

Based on the Committees' review of material produced by the State Department and by other agencies and related entities, we respectfully request the following additional records<sup>1</sup> and information related to this matter:

1. Please make the following State Department employees available for an interview:
  - a. Ambassador Bridget Brink;
  - b. Ambassador Geoffrey Pyatt;
  - c. George Kent; and
  - d. Elisabeth Zentos.
2. All records, including call transcripts and summaries, related to then-Vice President Biden's phone calls with then-President of Ukraine Petro Poroshenko from March 2015 through April 2016, especially with regard to any mention of the Ukrainian Prosecutor General's investigation of Burisma or Viktor Shokin.
3. All records between then-Vice President Biden or his office and President Poroshenko or his office after the raid on Mykola Zlochevsky's home on February 2, 2016, until the dismissal of Prosecutor General Viktor Shokin on March 29, 2016.
4. Please provide all State Department records related to the Department's assessment of Viktor Shokin, the former Prosecutor General of Ukraine, including, but not limited to:
  - a. The decision to seek his removal from office, including when that decision was made;

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<sup>1</sup> "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

- b. When and how that decision was communicated to the Ukrainian government;
  - c. Discussions relating to the Department's or the administration's view of Shokin's effectiveness as prosecutor general;
  - d. Discussions regarding whether Shokin was implementing anti-corruption measures in Ukraine; and
  - e. Whether officials believed Shokin was an obstacle to Ukrainian reforms.
5. Former Vice President Biden previously expressed that he wanted Prosecutor General Viktor Shokin fired.<sup>2</sup> When did the United States government determine that Shokin should be removed? Please explain the justification for that decision and how and when that determination was communicated to the Ukrainian government.

We request this material and to arrange interviews with these individuals as soon as possible but no later than May 14, 2020.

We anticipate that your written response and most of the responsive documents will be unclassified. Please send all unclassified material directly to the Committees. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. The Committees comply with all laws and regulations governing the handling of classified information. The Committees are not bound, absent their prior agreement, by any handling restrictions or instructions on unclassified information unilaterally asserted by the Executive Branch.

If you have any questions about this request, please ask your staff to contact Brian Downey and Scott Wittmann of Chairman Johnson's staff at (202) 224-4751, and Joshua Flynn-Brown of Chairman Grassley's staff at (202) 224-4515. Thank you for your attention to this matter.

Sincerely,



Ron Johnson  
Chairman  
Committee on Homeland Security and  
Governmental Affairs



Charles E. Grassley  
Chairman  
Committee on Finance

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<sup>2</sup> Erielle Davidson, *Watch Joe Biden Brag About Bribing Ukraine to Fire The Prosecutor Investigating His Son's Company*, The Federalist, Sept. 24, 2019, <https://thefederalist.com/2019/09/24/watch-joe-biden-brag-about-bribing-ukraine-to-fire-the-prosecutor-investigating-his-sons-company/>.

# Statement On the Ukrainian-American Strategic Partnership

23 May, 20:11

***Kyiv Security Forum expresses gratitude to the distinguished Ukrainian politicians, diplomats and civic activists for their support of the appeal to the American leaders and society on the importance of protecting the Ukrainian-American strategic partnership.***

## **Statement On the Ukrainian-American Strategic Partnership**

We, the representatives of Ukrainian politics, civil society, and the expert community, are deeply concerned to watch a campaign to involve Ukraine in the political competition in the United States unfold with renewed vigor.

Ukraine greatly appreciates the steadfast support of the American people for our independence, security, and Western course.

Our nations share the common values of national and human freedom.

The combined efforts of the two largest political parties in the United States and all concerned Americans to defend Ukraine are a major historical contribution to the creation of a united Europe and a just world order.

We call on American leaders to distinguish between the position of new Ukraine, which stands for the unity of the West and acts to unite democracies around the world, and those forces that seek to turn the political developments in our country into a toxic narrative to sow discord among our partners.

We oppose the dishonest attempts to use the political controversies in the United States. We do not choose any side, but support each of them in the same way that they together help Ukraine's independence.

We call on America's leaders to distinguish between the position of our nation from the actions of politicians instigated by Moscow.

We condemn hostile provocations aimed at alienating our nations.

We believe in the strategic partnership between Ukraine and the United States.

Let us not allow mutual distrust and doubt to erode this great and lasting relationship.

Let us stand together in times of great trials.

*Signed on May 22-23, 2020*

\* \* \*

**Arseniy Yatsenyuk**, Chairman of the Kyiv Security Forum, Prime Minister of Ukraine (2014-2016).

**Oleksandr Turchynov**, acting President of Ukraine, Speaker of the Verkhovna Rada of Ukraine (2014), National Security Advisor (2014-2019).

**Oksana Zabuzhko**, writer, National Taras Shevchenko Prize laureate.

**Joseph Zissels**, member of the First of December Initiative Group, member of the Strategic Council of the Movement against Capitulation.

**Myroslav Marynovych**, Vice-Rector of the Ukrainian Catholic University, political dissident and prisoner of conscience under the Soviet occupation, member of the First of December Initiative Group.

**Yevhen Zakharov**, Chairperson of the Kharkiv Human Rights Group, Head of the Board of the Ukrainian Helsinki Human Rights Group, member of the First of December Initiative Group.

**Leonid Finberg**, Director of the Research Center of the History and Culture of Eastern European Jewry at the National University of Kyiv-Mohyla Academy, Editor-in-Chief of the “Dukh i Litera” Publishing house.

**Ihor Kozlovsky**, prisoner of the Russian occupation regime in Donbas, President of the Center for Religious Studies, member of the First of December Initiative Group.

**Lilia Hrynevych**, Minister of Education of Ukraine (2016-2019).

**Volodymyr Vasylenko**, Ambassador Extraordinary and Plenipotentiary, Judge of the International Criminal Tribunal for former Yugoslavia (2001-2005), Representative of Ukraine to the UN Human Rights Council (2006-10).

**Volodymyr Ohryzko**, Ambassador Extraordinary and Plenipotentiary, Minister for Foreign Affairs of Ukraine (2007-2009).

**Danylo Lubkivsky**, Deputy Foreign Minister of Ukraine (2014), member of the Board of Open Ukraine Foundation.

**Ivanna Klympush-Tsintsadze**, Chair of the Parliamentary Committee on Ukraine’s integration into the EU, European Solidarity faction, Deputy Prime Minister for European and Euro-Atlantic integration of Ukraine (2016-2019).

**Yuriy Shcherbak**, Ambassador Extraordinary and Plenipotentiary of Ukraine to Israel (1992-1994), the United States (1994-1998), Canada (2000-2003).

**Oleksandr Motsyk**, First Deputy Foreign Minister of Ukraine (2004-2005), Ambassador Extraordinary and Plenipotentiary of Ukraine to the United States (2010-2015).

**Valeriy Chaly**, Ambassador Extraordinary and Plenipotentiary of Ukraine to the United States (2015-2019), Chair of the Board of the Ukrainian Crisis Media Center.

**Hanna Hopko**, civic activist, Chairwoman of the Parliamentary Committee on Foreign Affairs (2014-2019).

**Roman Bezsmetny**, Ambassador Extraordinary and Plenipotentiary, Vice-Prime-Minister of Ukraine (2005).

**Natalia Popovych**, Co-Founder of the Ukrainian Crisis Media Center, Founder of One Philosophy Group.

**Ivan Vasyunyk**, Head of the Supervisory Board of the International Foundation for the Development of the Holodomor Victims’ Memorial, Vice-Prime-Minister of Ukraine (2007-2010).

**Solomiia Bobrovska**, member of the Verkhovna Rada of Ukraine of IX convocation, Holos / Voice faction.

**Ostap Semerak**, Minister of the Cabinet of Ministers of Ukraine (2014), Minister of Ecology of Ukraine (2016-2019), member of the Verkhovna Rada of Ukraine of VI and VIII convocations.

**Iryna Geraschenko**, member of the Verkhovna Rada of Ukraine of IX convocation, Co-Chair of the European Solidarity faction, First Deputy Speaker of the Verkhovna Rada of Ukraine (2016-2019).

**Serhiy Kvit**, Minister of Education of Ukraine (2014-2016), professor at the National University of Kyiv-Mohyla Academy.

**Svitlana Voitsekhivska**, member of the Verkhovna Rada of Ukraine of VIII convocation, member of the Board of Open Ukraine Foundation.

**Maksym Burbak**, Minister of Infrastructure of Ukraine (2014), member of the Verkhovna Rada of Ukraine of VII and VIII convocations.

**Iryna Friz**, member of the Verkhovna Rada of Ukraine of VIII and IX convocations, European Solidarity faction, Minister of Veterans Affairs (2018-2019).

**Mykola Kniazhytskyi**, journalist, member of the Verkhovna Rada of Ukraine of VIII and IX convocations.

**Maria Ionova**, member of the Verkhovna Rada of Ukraine of VIII and IX convocations, European Solidarity faction.

**Mykola Ryabchuk**, Honorary President of the Ukrainian PEN-Club.

**Myroslava Barchuk**, journalist, member of the Ukrainian PEN-Club.

**Vitaliy Portnykov**, journalist, writer.

**Volodymyr Yermolenko**, philosopher, Chief-editor of UkraineWorld Initiative, analytics director at Internews Ukraine.

**Vakhtang Kebuladze**, philosopher, professor at the Kyiv Taras Shevchenko National University.

**Taras Lyuty**, philosopher, professor at the National University of Kyiv-Mohyla Academy.

**Mykhaylo Basarab**, civic activist, Coordinator of the Movement against Capitulation.

**Victoria Ptashnyk**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Viktor Yelensky**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Borys Potapenko**, Head of International Council in Support of Ukraine.

**Serhiy Vysotsky**, journalist, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Andriy Levus**, civic activist, Coordinator of the Movement against Capitulation, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Oleksandr Sochka**, member of the Verkhovna Rada of Ukraine of VI, VII and VIII convocations.

**Mykhaylo Khmil**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Myroslav Hai**, civic activist, Chairman of the Peace and Co Charitable Foundation.

**Yevhen Bystrytsky**, philosopher.

**Kateryna Smagliy**, Director of the International Cooperation Department at the Diplomatic Academy of Ukraine's Foreign Ministry.

**Mykola Horbal**, poet, political prisoner under the Soviet occupation.

**Volodymyr Dubrovsky**, economist.

**Borys Zakharov**, Director of "Human and Right" Charitable Foundation.

**Hennadiy Kurochka**, member of the Board of the Ukrainian Crisis Media Center.

**Oleksiy Panych**, philosopher, member of the Ukrainian PEN-Club.

**Valeriy Pekar**, Lecturer of Kyiv-Mohyla Business School.

**Kostyantyn Sigov**, philosopher, civic activist, Chair of the Center of the European Humanitarian Studies at the National University of the Kyiv-Mohyla Academy.

**Hennadiy Buryak**, Deputy Director of the National Institute of the History of Ukraine.

**Oleksandr Skipalsky**, Lieutenant General, Honorary President of the Veterans Society of the Intelligence Community.

**Anatoliy Podolsky**, Director of the Ukrainian Center of the Holocaust Studies.

**Ukrainian Crisis Media Center.**

## Unified Nuland Transcript Errata

- HSGAC Majority

Page	Line	Correction
2	17	it should read "Professional Staff Member" rather than "Research Assistant"
13	18	it should read "Wilmer" rather than "Wilber"
34	2	it should read "Georgian" rather than "Georgia"
37	13	it should read "sat" rather than "is at"
38	11	it should read "Joe" rather than "John"
98	12	the phrase “mental health” does not seem to fit. It appears that it should be a name.

- Finance Majority

Page	Line	Correction
88	13	Insert “the” such that it reads “from the Ukrainian...”
89	10	Strike “to” and insert “from”

- HSGAC Minority
  - Pending
- Finance Minority
  - Pending
- Counsel

Page	Line	Correction
2	7	Change “Wilmer Hale” to “WilmerHale”
4	3	Change “11/10/19” to “11/10/19 (updated 3/6/2020)”
4	4	Change “Pyatt” to “Nuland”
4	4	Change “all” to “al.”
4	6	Change “Email, Tramontano to McDonough, 3/28/2016” to “Email, Nuland to Pyatt, et al., 3/30/16”
4	7	Change “Brink and Andrews” to “Brink, et al.”
4	8	Change “all.” to “al.”
4	8	Change “Nuland, Brink,” to “Nuland,”
5	10	Change “administration” to “administration’s”
5	12	Change “Chairmen Grassley Johnson” to “Chairmen Grassley and Johnson”
7	2	Change “we would to” to “we would”
7	22	Change “Wittman” to “Wittmann”
8	6	Change “Peter’s” to “Peters”

8	13-14	Change “rush-in-disinformation” to “Russian disinformation”
10	19	Change “by” to “why”
11	4	Add “in” before “November 2019”
13	4	Change “discussion” to “discuss”
13	18-19	Change “Wilber Cutler Pickering Hale and Door” to “Wilmer Cutler Pickering Hale and Dorr”
14	4	Change “folk” to “folks”
15	14	Change “state” to “statute”
15	24	Delete “member” before “not remove”
17	14	Change “Three” to “I held three”
18	10	Change “of” to “for”
20	1	Change “were” to “or”
21	6	Change “Democratic” to “democratic”
21	8	Add a comma after “reform”
22	19	Add “the” before “Ukrainian”
23	5	Change “attached” to “attach”
23	19	Change “reduction” to “reductions”
23	22	Change “second or third” to “two or three”
24	13-14	Change “then prosecutor, General” to “then-Prosecutor General”
25	23	Change “interagencies” to “the interagency”
26	6	Change “IPC” to “IFI’s”
26	10	Add “on” before “that committee”
26	11	Change “proposal” to “proposals”
31	2	Add “that” between “and” and “it”
34	2	Change “Georgia” to “Georgian”
34	19	Change “sub-IC” to “sub-IPC”
35	13	Change “prosecutor’s” to “prosecutors”
35	14	Change “long a Shokin as” to “long as Shokin was”
36	13	Change “counterpart” to “counterparts”
36	16	Change “as” to “so”
36	17	Change “Tallui [phonetic]” to “Toloui”
37	13	Change “is at” to “sat in”
37	17	Add “the” between “of” and “prosecutor general”
37	20	Change “Ukrainian” to “Ukrainians”
38	5	Add “I was” before “in almost”
38	11	Change “John” to “Joe”
39	4	Change “on interagency deliberation.” to “in interagency deliberations.”
39	15	Add “such” between “of” and “detail”
39	18	Delete extra space before “not”

40	3	Change “prosecutor’s” to “prosecutors”
40	15	Change “support” to “supported”
40	18	Add a comma after “Maidan”
42	14	Change “go tit” to “got it”
43	8	Delete extra space between “always” and “the”
43	16	Add “in” before “late”
45	9	Add “the” before “Ukrainian”
46	24	Change “at” to “with”
49	3	Add “case” after “diamond”
49	23	Change “expressed” to “expressing to”
51	14	Change “General” to “General’s office”
59	25	Change “MR. SCHRAM:” to “MS. NULAND:”
61	13	Change “support” to “have”
62	16	Change “others” to “other”
63	3	Change “that” to “the”
67	5	Add “the” before “International Monetary”
68	3	Change “pointed” to “appointed”
70	8	Change “legality or legality” to “legality or illegality”
70	12	Change “period” to “people”
71	16	Change “at the” to “is that the”
71	19	Change “sometime” to “some time”
71	23	Add a comma before “as well”
72	8	Add commas before “security support” and before “provision”
72	10	Change “time” to “money”
72	18	Change “Danger” to “Sanger”
73	13	Change “Kerry, ultimately” to “Kerry – ultimately”
73	16	Change “no” to “on”
74	2	Change “Biden.” to “Biden?”
74	11	Change “party” to “Parliament”
74	22	Change “form” to “from”
76	17	Add “President” after “Ukrainian”
77	5	Change “at” to “are”
77	9	Change “length” to “links”
77	14	Add “it” between “And” and “certainly”
79	10	Change “to seek” to “that seek”
84	12	Change “had a watching brief over it” to “was watching over it”
88	13	Add “the” before “Ukrainian”
89	10	Change “Aside to” to “Aside from”
92	4	Change “win” to “open”
94	8	Change “draft.” to “drafts.”

95	17	Change “on which” to “in which”
95	22	Change “in the” to “as a”
97	4	Change “Ukraine” to “Ukraine’s”
97	6	Change ““We” to ““We’ve”
97	16	Change “to” to “in”
98	10	Change “he also he also” to “he also”
98	12	Change “mental health” to “Amos Hochstein”
99	12	Change “photograph” to “paragraph”
100	7	Change “lobbying” to “lobbyist”
100	17	Change “going to” to “going”
100	19	Change “practice.” to “craft.”
101	12	Change “complaints” to “complains”
101	16	Change “Strategies” to “Strategies”
101	20	Change “Pyatt’s” to “Pyatt”
107	15	Change “Ukraine” to “Russia”
108	20	Delete “the”
110	25	Change “explains” to “explain”
111	2	Change “WAVE” to “WAVES”
111	14	Delete “on”
114	16	Change “IPC as” to “IPC, at”
115	7-8	Change “Ukrainians. If” to “Ukrainians: If”.
116	24-25	Change “International Financial Institution” to “international financial institutions”
118	16	Add comma after “democratization”
118	21	Change “because just to remind that” to “because --just to remind”
119	8	Change “direct or” to “Director of”
123	12	Add open quotation marks before “he” and closed quotation marks after “more”
123	23	Add “MR. WITTMANN:” before “I’m going”
125	6-7	Insert a comma after “Shokin” and after “argue”
130	10	Change “Zlochevsky-era” to “Zelensky-era”

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UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

- - - - -x

INTERVIEW OF: :

SALLY A. PAINTER :

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Room SD-342 and via Webex  
Dirksen Senate Office Building  
Washington, D.C.  
Monday, August 31, 2020  
10:08 a.m.

INTERVIEW OF SALLY A. PAINTER

1 APPEARANCES:

2 For the Witness:

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15 For Senator Johnson:

16 JOSEPH C. FOLIO, III, Chief Counsel, HSGAC

17 SCOTT WITTMANN, Senior Professional Staff Member, HSGAC

18 BRIAN DOWNEY, Senior Investigator, HSGAC

19 LYDIA WESTLAKE, Senior Advisor, HSGAC

20 WILLIAM SACRIPANTI, Professional Staff Member, HSGAC

21

22 For Senator Grassley:

23 JOSHUA FLYNN-BROWN, Deputy Chief Investigative Counsel,

24 Finance Committee

25 QUINTON BRADY, Investigative Counsel, Finance Committee

1 APPEARANCES (Continued):

2 For Senator Peters:

3 ZACHARY SCHRAM, Minority Chief Counsel, HSGAC

4 ROY AWABDEH, Minority Senior Counsel, HSGAC

5 SOUMYALATHA DAYANANDA, Minority Senior Investigative  
6 Counsel, HSGAC

7 VALERIE SHEN, Investigative Counsel, HSGAC

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9 For Senator Wyden:

10 DAVID BERICK, Minority Chief Investigator, Finance  
11 Committee

12 DAN GOSHORN, Minority Senior Counsel, Finance Committee

13 JOSH HEATH, Minority Investigator, Finance Committee

14 MICHAEL OSBORN-GROSSO, Minority Investigator, Finance  
15 Committee

16

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1 MAJORITY EXHIBITS MARKED

2 1) Blue Star Strategies Consulting Services Agreement

3 2) Email, Fried to Painter, 4/21/14

4 3) Politico article, 1/11/17

5 4) Email, Redacted to Ippolito, 5/20/14

6 5) Letter, Tramontano to Johnson and Grassley

7 6) Email, Jolevski to Gonya, 12/11/15

8 7) Biden's speech to the Rada in Kyiv, 12/9/15

9 8) Email, Tramontano to Jolevski, 2/18/16

10 9) Day Planner, 3/8/16

11 10) Email, Painter to Jolevski, 3/15/16

12 11) Email, Painter to Pozharskyi, 7/10/16

13 12) Email, Keeley to Tramontano, 3/21/16

14 13) Vadym Pozharskyi meeting, 3/29/16 to 4/1/16

15 14) Devon Archer meeting, 3/29/16 to 4/1/16

16 15) Email, Tramontano to Telizhenko, Painter, 3/22/16

17 16) Email, Painter to Fried, 6/10/16

18 17) Email, Painter to Fried, 6/13/16

19 18) Day planner, 6/22/16

20 19) Email, Redacted to Painter, 6/27/16

21 20) Email, Fried to Painter, 9/6/16

22 21) Email, Fried to Painter, 9/8/16

23 22) Text messages between Painter and Telizhenko

24 23) Email, Tramontano to Pozharskyi, 7/27/19

25 24) Email, Jolevski to Burisma, 1/16/18

1 MINORITY EXHIBITS

MARKED

2 A) Photograph, Andrii Telizhenko and Senator Johnson

3 B) Letter, Grassley and Johnson to Barr, 9/27/19

4 C) Letter, Johnson and Grassley to Ferriero, 11/21/19

5 D) Letter, Johnson and Grassley to Tramontano, 12/3/19

6 E) Press Release from Johnson, 12/6/19

7 F) Letter, Johnson to Peters, 2/24/20

8 G) Dear Colleagues Letter from Johnson, 3/1/20

9 H) Excerpt from Senate Intelligence Committee report

10 I) Page 20 from Senate Intelligence Committee report

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1 P R O C E E D I N G S

2 MR. FOLIO: Good morning, everyone. This is a  
3 transcribed interview of Ms. Sally Painter conducted by the  
4 Senate Committee on Homeland Security and Governmental  
5 Affairs and the Senate Committee on Finance.

6 This interview was requested by Chairman Ron Johnson  
7 and Chairman Charles Grassley as part of the Committees'  
8 investigation of whether there were any actual or apparent  
9 conflicts of interest or any other wrongdoing with regard to  
10 the Obama administration's Ukraine policy or Burisma  
11 Holdings, as well as related matters.

12 On December 3, 2019, Chairmen Grassley and Johnson  
13 wrote a letter to Blue Star Strategies requesting  
14 information, and since then they have requested transcribed  
15 interviews of Ms. Sally Painter and certain categories of  
16 documents as well.

17 Ms. Painter, can you please state your full name for  
18 the record?

19 MS. PAINTER: Sally Anna Painter.

20 MR. FOLIO: My name is Joseph Folio. I'm the Chief  
21 Counsel with the Homeland Security and Governmental Affairs  
22 Committee. I'm going to introduce Chairman Johnson's staff,  
23 and then I'll ask other staff to introduce themselves.

24 Joining me from Chairman Johnson's staff is Scott  
25 Wittmann, Brian Downey, and Will Sacripanti.

1 I'll ask Chairman Grassley's staff to introduce  
2 themselves now.

3 MR. FLYNN-BROWN: Good morning, Ms. Painter. My name's  
4 Josh Flynn-Brown, Deputy Chief Investigative Counsel for  
5 Chairman Grassley. I'm joined today by my colleague Quinton  
6 Brady. Thank you for your time.

7 MR. FOLIO: And now I'll ask Ranking Member Peters'  
8 staff to introduce themselves.

9 MR. SCHRAM: Good morning. My name is Zack Schram,  
10 Chief Counsel with Ranking Member Peters. Ms. Painter,  
11 thank you for your participation in today's interview. The  
12 minority's participation today is not an endorsement of the  
13 investigation. As the Ranking Members have said publicly,  
14 they believe this investigation advances a Russian  
15 disinformation campaign and is intended to interfere in our  
16 2020 election.

17 We are now 64 days away from the election. Just a few  
18 weeks ago, on August 7th, the Director of the National  
19 Counterintelligence and Security Center, William Evanina,  
20 issued an unclassified assessment of foreign election  
21 threats, stating, "Russia is using a range of measures to  
22 primarily denigrate former Vice President Biden. For  
23 example, pro-Russian Ukrainian Parliamentarian Andrii  
24 Derkach is spreading claims about corruption--including  
25 through publicizing leaked phone calls--to undermine former

1 Vice President Biden's candidacy and the Democratic Party."

2       The Chairmen's investigation has provided the Committee  
3 as a platform to amplify the Russian attack on our election  
4 described by Mr. Evanina. Chairman Johnson has repeatedly  
5 admitted that this investigation is targeted at influencing  
6 voters and hurting Vice President Biden's Presidential  
7 candidacy.

8       In March, hours after Joe Biden became the top  
9 Democratic contender, Chairman Johnson stated, "And if I  
10 were a Democrat primary voter, I'd want these questions  
11 satisfactorily answered before I cast my final vote."

12       Earlier this month, in describing the investigation,  
13 Chairman Johnson said, "I would think it would certainly  
14 help Donald Trump win reelection and certainly be pretty  
15 good, I would say, evidence about not voting for Vice  
16 President Biden."

17       I will also note we are conducting this interview  
18 remotely because we are in the midst of a pandemic that has  
19 created an extraordinary public health crisis in the United  
20 States. Since this investigation started, more than 183,000  
21 Americans have died of COVID. The Homeland Security and  
22 Governmental Affairs Committee has jurisdiction over  
23 pandemic preparedness and response, and yet this Committee  
24 has now spent roughly twice as much time on the record in  
25 this investigation than it has devoted to all of its COVID

1 hearings combined.

2 As Chairman Johnson told a radio host on August 12th,  
3 "Whether I'm in D.C. or not, I'm working on this almost  
4 nonstop. Okay? So is my staff."

5 Ranking Member Peters believes that this investigation  
6 is a misuse of Committee resources that does not advance the  
7 health, safety, or economic security of Americans consistent  
8 with our Committee's mission. We have a right and  
9 responsibility to be here, and we will do our best to ensure  
10 that you are treated fairly, that the record is accurate and  
11 complete, and that the national security interest of the  
12 United States is protected.

13 I am joined by my colleagues Soumya Dayananda, Roy  
14 Awabdeh, and Valerie Shen.

15 MR. FOLIO: Thanks, Zack. As has been on the record  
16 with all of the prior witnesses and the public record that  
17 Chairman Johnson and the Committee have set forth, respond  
18 to all of the allegations you have made, including the focus  
19 of dozens of other staff members on the COVID crisis as well  
20 as the fact that your allegation this is somehow advancing  
21 Russian disinformation is not based in fact.

22 Ranking Member Peters?

23 MR. BERICK: I think you mean Wyden.

24 MR. FOLIO: Wyden. Sorry.

25 MR. BERICK: No problem. I'm Dave Berick. I'm the

1 Chief Investigator for the Democratic staff on the Finance  
2 Committee. We associate ourselves with colleagues in the  
3 minority HSGAC regarding the investigation. Your time is  
4 valuable, as is your counsel's, so I'm not going to spend  
5 more time on the reasons for that. I outlined them in the  
6 last interview.

7 I'm joined this morning by Dan Goshorn, Josh Heath, and  
8 Michael Osborn-Grosso, who are a part of the minority staff  
9 investigative team.

10 MR. FOLIO: Thank you, Dave.

11 Ms. Painter, I will now explain how the interview will  
12 proceed. The Federal Rules of Civil Procedure do not apply  
13 to any of the Committees' investigative activities,  
14 including transcribed interviews. The way questioning  
15 proceeds is that we will alternate between the majority and  
16 minority staffs for 1 hour each. The majority staff will  
17 begin and proceed for an hour, and then the minority staff  
18 will have an hour to ask its questions, and we will rotate  
19 back and forth until there are no more questions, and the  
20 interview will be over.

21 During the interview we will do our best to limit the  
22 number of people directing questions at you in any given  
23 hour. That said, from time to time a follow-up or  
24 clarifying question may be helpful, and if that's so, you  
25 may hear from others around the virtual table. Because we

1 are virtual, I will ask everyone to please take their time,  
2 speak clearly, to allow the opportunity for others to speak  
3 as well.

4 The reporter is going to create a verbatim record of  
5 what we discuss today. With that in mind, Ms. Painter, it's  
6 important that you respond to questions verbally. The  
7 reporter cannot properly record nonverbal responses or  
8 gestures. Do you understand this?

9 MS. PAINTER: I do.

10 MR. FOLIO: We encourage witnesses that appear before  
11 the Committee to freely consult with counsel. Do you have  
12 counsel present with you today?

13 MS. PAINTER: Virtually.

14 MR. FOLIO: And for the record, can counsel please  
15 introduce themselves?

16 MR. KADZIK: It's Peter Kadzik, K-A-D-Z-I-K.

17 MR. FOLIO: Thank you, Peter.

18 Ms. Painter, we want you to answer our questions in the  
19 most complete and truthful manner possible, so we're going  
20 to take our time. If you have nay questions or do not  
21 understand any of the questions, please let us know. We  
22 will be happy to clarify or repeat. Do you understand that?

23 MS. PAINTER: I do.

24 MR. FOLIO: It is the Committee's practice to honor  
25 valid common law privilege claims as an accommodation to a

1 witness or party when those claims are made in good faith  
2 and accompanied by sufficient explanation so the Committee  
3 can evaluate the claim. When deciding whether to honor a  
4 privilege, the Committee weighs its need for the information  
5 against any legitimate basis for withholding it.

6 This interview is occurring without prejudice to any  
7 future discussions with the Committees, and we reserve the  
8 right to request your participation in future interviews or  
9 to compel testimony.

10 If you need to take a break, please let us know. We  
11 ordinarily will take a 5-minute break at the end of each 1-  
12 hour session, but if you need a break before then, let us  
13 know and we will try to accommodate you.

14 Ms. Painter, you're required to answer questions before  
15 Congress truthfully. Do you understand this?

16 MS. PAINTER: I do.

17 MR. FOLIO: This also applies to questions posed by  
18 congressional staff in an interview. Specifically, 18  
19 U.S.C. Section 1001 makes it a crime to make any materially  
20 false, fictitious, or fraudulent statement or representation  
21 in the course of a congressional investigation. This  
22 statute applies to this interview. Do you understand?

23 MS. PAINTER: I do.

24 MR. FOLIO: Is there any reason that you are unable to  
25 provide us today truthful testimony?

1 MS. PAINTER: No.

2 MR. FOLIO: Finally, we ask that you not speak about  
3 what we discuss in this interview with anyone else outside  
4 of who's in the virtual room today in order to preserve the  
5 integrity of our investigation, and we also ask that you not  
6 copy or remove any exhibits from the interview. Do you  
7 understand and agree?

8 MS. PAINTER: I do.

9 MR. FOLIO: Now, Ms. Painter, do you have any questions  
10 before we begin?

11 MS. PAINTER: I do not.

12 MR. FOLIO: Ms. Painter, what is your position at Blue  
13 Star Strategies?

14 MS. PAINTER: Co-founder and COO.

15 MR. FOLIO: And when was Blue Star founded?

16 MS. PAINTER: November 2009.

17 MR. FOLIO: And for how long have you been COO?

18 MS. PAINTER: Since its founding.

19 MR. FOLIO: And as COO, what are your roles and  
20 responsibilities?

21 MS. PAINTER: I share the management roles with the  
22 CEO, managing the clients, gaining business, handling the  
23 administrative issues and human resources--basically all  
24 elements of running a company.

25 MR. FOLIO: And who's the CEO of Blue Star?

1 MS. PAINTER: Ms. Karen Tramontano.

2 MR. FOLIO: And how do you know Ms. Tramontano?

3 MS. PAINTER: I've known Karen, I've known Ms.  
4 Tramontano since 2002.

5 MR. FOLIO: And why did you all decide to start Blue  
6 Star in 2009?

7 MS. PAINTER: We decided that it was time for us to  
8 start our own firm.

9 MR. FOLIO: Ms. Painter, when did Burisma become a  
10 client of Blue Star Strategies?

11 MS. PAINTER: November 2015.

12 MR. FOLIO: And before Burisma became a Blue Star  
13 client, what did you know about Burisma?

14 MS. PAINTER: I knew about--the first time I knew  
15 anything about Burisma was in the late summer of 2015 or  
16 early fall, and I knew it was an independent energy company  
17 in Ukraine.

18 MR. FOLIO: And how did you learn that?

19 MS. PAINTER: I learned that through one of the board  
20 members.

21 MR. FOLIO: And who was that?

22 MS. PAINTER: Devon Archer.

23 MR. FOLIO: And how do you know Devon Archer?

24 MS. PAINTER: Devon Archer was introduced to me by a  
25 former colleague, Eric Schwerin.

1 MR. FOLIO: And who is Eric Schwerin?

2 MS. PAINTER: Eric is a former colleague of mine from  
3 the Clinton administration.

4 MR. FOLIO: And how did you and Mr. Schwerin know each  
5 other in the Clinton administration?

6 MS. PAINTER: We both worked at the Department of  
7 Commerce.

8 MR. FOLIO: And how would you describe your  
9 relationship with Mr. Schwerin?

10 MS. PAINTER: A professional colleague.

11 MR. FOLIO: And why did Mr. Schwerin introduce you to  
12 Devon Archer?

13 MS. PAINTER: Mr. Archer was looking to make an  
14 investment in another country and was looking for some  
15 guidance.

16 MR. FOLIO: What country?

17 MS. PAINTER: Latvia.

18 MR. FOLIO: And what was the investment?

19 MS. PAINTER: It was a Latvian bank.

20 MR. FOLIO: Which bank?

21 MS. PAINTER: Norvik.

22 MR. FOLIO: And what kind of investment was he looking  
23 to make in Norvik Bank?

24 MS. PAINTER: A financial investment, and it was a  
25 bank. They were diversifying.

1 MR. FOLIO: So was he looking to buy stock?

2 MS. PAINTER: I don't actually know the instrument. He  
3 was definitely--he was investing, and he wanted us to do  
4 some due diligence.

5 MR. FOLIO: Was he looking to buy part of Norvik Bank's  
6 operations?

7 MS. PAINTER: My understanding is that he was making an  
8 investment in the bank.

9 MR. FOLIO: And any other details beyond that?

10 MS. PAINTER: As it relates to--could you be more  
11 specific?

12 MR. FOLIO: The nature of his investment or interest in  
13 Norvik Bank.

14 MS. PAINTER: He was interested in making an investment  
15 in the bank and had asked us to--was interested in us doing  
16 some due diligence on the bank prior to his investment.

17 MR. FOLIO: So, previously, you said he was looking for  
18 your advice. When you said "advice," were you referring to  
19 his interest in you doing due diligence in the bank before  
20 he invested?

21 MS. PAINTER: That's correct.

22 MR. FOLIO: Did you perform that due diligence for Mr.  
23 Archer?

24 MS. PAINTER: We did.

25 MR. FOLIO: And when you say "we," is that Blue Star?

1 MS. PAINTER: Blue Star Strategies.

2 MR. FOLIO: And did you provide that advice pursuant to  
3 a formal agreement with Mr. Archer?

4 MS. PAINTER: In fact, it was not an agreement with Mr.  
5 Archer. I believe it was an agreement with the bank.

6 MR. FOLIO: So you had a formal agreement with Norvik  
7 Bank?

8 MS. PAINTER: That's correct.

9 MR. FOLIO: And the purpose of that agreement was what  
10 precisely?

11 MS. PAINTER: To do the due diligence about the bank's  
12 position in Latvia, and if it--to do the due diligence on  
13 the bank.

14 MR. FOLIO: And what did you do to conduct the due  
15 diligence?

16 MS. PAINTER: We conducted interviews and did desktop  
17 research.

18 MR. FOLIO: And to whom did you present the results of  
19 your diligence?

20 MS. PAINTER: It was a combination of the chairman of  
21 the bank and Devon Archer.

22 MR. FOLIO: And was it understood in your relationship  
23 with the bank that Mr. Archer would be receiving the results  
24 of your work as well?

25 MS. PAINTER: Yes.

1 MR. FOLIO: And what was the bottom-line advice that  
2 you gave to Mr. Archer and the bank?

3 MS. PAINTER: We understood that while the bank had  
4 some technical issues, that it was a positive assessment  
5 that it--that generally it was okay.

6 MR. FOLIO: And did Mr. Archer act on your advice?

7 MS. PAINTER: I mean, we may have been a part of what  
8 he--his decision process.

9 MR. FOLIO: Did Mr. Archer make the investment in  
10 Norvik Bank?

11 MS. PAINTER: He did.

12 MR. FOLIO: And when exactly did you first engage with  
13 Mr. Archer on the Norvik Bank issue?

14 MS. PAINTER: I believe it was in the fall--the late  
15 summer, early fall of 2015.

16 MR. FOLIO: You said that Mr. Schwerin introduced you  
17 to Mr. Archer. At the time Mr. Schwerin introduced you to  
18 Mr. Archer, what was Mr. Schwerin's work or profession?

19 MS. PAINTER: I'm actually not sure. I believe he was  
20 a consultant.

21 MR. FOLIO: Do you know where he worked?

22 MS. PAINTER: I did not know at the time, no. At the  
23 time I did not know.

24 MR. FOLIO: Did Mr. Schwerin connect you with Mr.  
25 Archer in a professional or personal capacity?

1 MS. PAINTER: Professional.

2 MR. FOLIO: Was Mr. Schwerin an attorney?

3 MS. PAINTER: I do not know.

4 MR. FOLIO: When did you learn about Burisma?

5 MS. PAINTER: Early fall of 2015.

6 MR. FOLIO: And how did that conversation start?

7 MS. PAINTER: Devon Archer, Mr. Archer, had suggested  
8 that he was on the board of an energy company, and that he  
9 would like for me or Blue Star to potentially talk to them  
10 about working together.

11 MR. FOLIO: So was he asking you to explore this  
12 business opportunity in his position as a board member of  
13 Burisma?

14 MS. PAINTER: He never qualified the reason that he--or  
15 the rationale. He told--he said he was on the board, and he  
16 thought that we could be helpful to Burisma.

17 MR. FOLIO: So when Mr. Archer raised the issue of  
18 Burisma, just to orient us, was that after the Norvik Bank  
19 work that you had performed for him?

20 MS. PAINTER: Yeah. I don't recall--I don't recall if  
21 it was concurrent or after.

22 MR. FOLIO: They were around the same time?

23 MS. PAINTER: Norvik came first and then Burisma.

24 MR. FOLIO: When did you learn that Devon Archer served  
25 on the board of Burisma?

1 MS. PAINTER: I believe I learned--I believe his  
2 introduction to me was that he was on the board of this  
3 independent energy company.

4 MR. FOLIO: Did you know any other board members of  
5 Burisma at that time?

6 MS. PAINTER: I didn't know who the board was when he  
7 introduced me.

8 MR. FOLIO: In the course of your conversations with  
9 Mr. Archer about Burisma, did he identify any other board  
10 members to you?

11 MS. PAINTER: The board member he focused on was former  
12 president of Poland, Aleksander Kwasniewski, because I had  
13 worked on NATO issues with the former president, and he  
14 thought I probably knew who he was.

15 MR. FOLIO: Other than his focus on the former  
16 president of Poland, did he talk about any other board  
17 members?

18 MS. PAINTER: I don't recall.

19 MR. FOLIO: Did he ever talk to you about Hunter  
20 Biden's position on the board of Burisma?

21 MS. PAINTER: I eventually learned who all the board  
22 members were, of which Hunter Biden was one of those.

23 MR. FOLIO: When did you learn that Hunter Biden was on  
24 the board of Burisma?

25 MS. PAINTER: I don't remember specifically.

1 MR. FOLIO: Was it before Burisma became a client of  
2 Blue Star's?

3 MS. PAINTER: I learned who all the board members were  
4 before we engaged with Burisma.

5 MR. FOLIO: Can you please describe the process once  
6 Mr. Archer raised the idea of Burisma becoming a client, the  
7 process that Blue Star went through to determine whether or  
8 not it would engage Burisma as a client?

9 MS. PAINTER: We conducted desktop due diligence to  
10 learn more about the company.

11 MR. FOLIO: And what does that mean?

12 MS. PAINTER: Publicly available sources. We did the  
13 research and did an evaluation.

14 MR. FOLIO: Did Mr. Archer provide you with any  
15 specific reasons why he thought Burisma might be interested  
16 in hiring a firm like yours?

17 MS. PAINTER: Mr. Archer did not detail the activities.  
18 That was later when we began engagement, the courtship with-  
19 -or the engagement with a representative of Burisma.

20 MR. FOLIO: So I'm just curious. Is it a position that  
21 firm like Burisma should just have a consulting firm on  
22 contract, or was there any specific reason why Mr. Archer  
23 thought that it would make sense for you to speak with  
24 Burisma and consider them as a client?

25 MS. PAINTER: Are you asking me what Mr. Archer

1 thought?

2 MR. FOLIO: No. I'm asking you what your understanding  
3 was of why Mr. Archer wanted to connect you with Burisma.

4 MS. PAINTER: Mr. Archer suggested that we could be  
5 helpful to Burisma.

6 MR. FOLIO: And why did he think you could be helpful  
7 to Burisma?

8 MS. PAINTER: I think that's a question for Mr. Archer.

9 MR. FOLIO: No. I'm asking from your perspective as  
10 COO of the company. What services does Blue Star offer that  
11 Mr. Archer thought that you could provide to Burisma that  
12 would be helpful to the company?

13 MR. KADZIK: You're again asking her what Mr. Archer  
14 thought, and she can't tell you what Mr. Archer thought.

15 MR. FOLIO: No, I'm not asking her what Mr. Archer  
16 thought. I'm asking what she thought when Mr. Archer said  
17 they had some issues for which he thought Blue Star could be  
18 helpful. So I'm asking what role and responsibilities, et  
19 cetera, did Blue Star offer that you thought that you would  
20 be offering to be helpful to the company.

21 MS. PAINTER: I don't--I can't speculate on what Mr.  
22 Archer thought would be helpful.

23 MR. FOLIO: Again, just to be clear, I'm not asking  
24 what Mr. Archer thought. You said that he came to you and  
25 said they were having some issues and thought Blue Star

1 would be helpful. How could Blue Star be helpful?

2 MS. PAINTER: I think I answered that question. I  
3 can't--I don't know--he said we could be helpful, and we  
4 began some discussions. But I don't--I don't know what he--  
5 he did not articulate how he thought we could be helpful.

6 MR. FOLIO: So he said nothing other than "I think you  
7 can help them out. Please talk to them"?

8 MS. PAINTER: And he arranged a phone call, yes.

9 MR. FOLIO: A phone call with whom?

10 MS. PAINTER: Vadym Pozharskyi.

11 MR. FOLIO: And was there anything in particular that  
12 Mr. Archer identified that he thought Blue Star could help  
13 with?

14 MS. PAINTER: I think I've answered that, but I don't--  
15 but I don't recall anything else.

16 MR. FOLIO: What did Mr. Archer want you to discuss  
17 with Vadym?

18 MS. PAINTER: I don't recall the specifics. He asked  
19 us to get on to a--he set up a telephone conversation, and  
20 once Mr. Pozharskiy got on the phone, we discussed  
21 representation.

22 MR. FOLIO: And when--I'm sorry. I'm going to use his  
23 first name. Vadym. When you spoke with him on the phone  
24 and you discussed representation, did he provide to you any  
25 insight as to why Burisma might at that time have been

1 interested in hiring Blue Star?

2 MS. PAINTER: He was looking for government relations  
3 and communication support.

4 MR. FOLIO: When you say government relations,  
5 relations with which government?

6 MS. PAINTER: You know, I don't recall exactly--I don't  
7 recall exactly--it was--eventually, it was both governments,  
8 but I don't recall at that point, in our early discussions,  
9 [inaudible-audio difficulties].

10 MR. FOLIO: And by both governments, do you mean the  
11 United States and Ukraine?

12 MS. PAINTER: He was looking for government relations  
13 support in the United States and in Ukraine.

14 MR. FOLIO: And any particular issues in which he was  
15 seeking government relations support?

16 MS. PAINTER: Excuse me?

17 MR. FOLIO: Were there any specific issues on which  
18 Vadym was seeking government relations support for Burisma?

19 MS. PAINTER: It related to energy security, energy  
20 independence, and sort of general overall.

21 As the discussions developed, we learned that there had  
22 been public statements made by the U.S. ambassador to  
23 Ukraine that were negative about the company, and he was  
24 looking and the company was looking to understand why the  
25 ambassador had those--or had that impression and if, in

1 fact, that was the impression of just the ambassador or if  
2 that was the impression of the U.S. government.

3 MR. FOLIO: And who was the U.S. ambassador at that  
4 time?

5 MS. PAINTER: Ambassador Pyatt.

6 MR. FOLIO: And what statements had Ambassador Pyatt  
7 made about the company that were negative?

8 MS. PAINTER: Ambassador Pyatt had made negative  
9 comments about the company in a public speech that he had  
10 made. I believe it was in Odessa.

11 MR. FOLIO: And what were those negative comments?

12 MS. PAINTER: I don't recall the specifics, but it was  
13 negative about the company.

14 MR. FOLIO: Who is Nykola or Mykola Zlochevsky?

15 MS. PAINTER: He is the largest shareholder owner of  
16 Burisma.

17 MR. FOLIO: Did Mr. Zlochevsky have his own, for lack  
18 of a better term, legal issues at this time?

19 MS. PAINTER: I don't--I don't recall. I was working--  
20 we were talking with Burisma, and so that was the focus.

21 MR. FOLIO: I guess what I'm trying to understand is  
22 that there are allegations against the company at this time  
23 that they engaged in corrupt conduct. Are you aware of  
24 those allegations?

25 MS. PAINTER: I was aware that there were allegations,

1 yes.

2 MR. FOLIO: And at times, those allegations are leveled  
3 broadly against the company, but at other times, we've seen  
4 those allegations leveled against Mr. Zlochevsky himself.  
5 So I'm asking you if you can distinguish when you said  
6 Ambassador Pyatt made negative comments about the company.  
7 Was he making negative comments about Burisma, or was she  
8 making negative comments about Mr. Zlochevsky?

9 MS. PAINTER: It's my understanding that he was making  
10 the allegations against Burisma.

11 MR. FOLIO: And broadly, what was the nature of the  
12 allegations against the company such that they thought they  
13 needed to hire you to help them address them?

14 MS. PAINTER: I don't recall all with specificity.

15 MR. FOLIO: General is fine.

16 MS. PAINTER: There were allegations as it related to  
17 how the company operated and related to potential  
18 corruption.

19 MR. FOLIO: And when you say operated, operated in what  
20 sense?

21 MS. PAINTER: I mean, I don't have the specifics.

22 MR. FOLIO: I mean, was it--

23 MS. PAINTER: There were general--I was aware of  
24 general allegations.

25 MR. FOLIO: Was it that the company was paying bribes?

1 MS. PAINTER: It was general allegations. I don't have  
2 any specificity.

3 MR. FOLIO: Was it that the company was siphoning off  
4 gas and not accounting for it?

5 MS. PAINTER: I have general knowledge of what some of  
6 the allegations were.

7 MR. FOLIO: I assume, but correct me if I'm wrong, but  
8 wouldn't it be helpful for the company to represent Burisma,  
9 to focus in on exactly what the issues were to address them?

10 MS. PAINTER: The issue that we were asked to address  
11 was to understand the rationale behind Ambassador Pyatt's  
12 accusation or allegation and then to understand if those  
13 allegations was the position of the U.S. government.

14 MR. FOLIO: And with regard to those allegations, what  
15 did you find those allegations to be?

16 MS. PAINTER: I don't recall. I said they were general  
17 allegations, and what we were trying to--our focus was  
18 understanding where Ambassador Pyatt was. Our focus was not  
19 trying to understand lots of noise in the press or whatever.  
20 We were focused specifically on Ambassador Pyatt's view and  
21 if that view was the view of the U.S. government.

22 MR. FOLIO: And were Ambassador Pyatt's concerns  
23 related to corruption?

24 MS. PAINTER: Ambassador Pyatt made allegations about  
25 the company, yes.

1 MR. FOLIO: Allegations about corruption?

2 MS. PAINTER: General allegations, yes.

3 MR. FOLIO: Okay. Generally if the company was  
4 corrupt. That's what you're saying?

5 MS. PAINTER: I don't recall the specificity, but the  
6 general view was that Ambassador Pyatt had a negative view  
7 about Burisma, and we were trying to understand the factual  
8 basis of that and if that--those--that his position was the  
9 position not just of the ambassador but of the U.S.  
10 government.

11 MR. FOLIO: You said one of the other services that the  
12 company was interested in was communications support. What  
13 communications support was Blue Star--did Blue Star provide  
14 to Burisma?

15 MS. PAINTER: I mean, we would generally--do I--I mean--  
16 -can you give me--I don't recall any, you know, specific--we  
17 were dealing with communications generally.

18 MR. FOLIO: Communications with whom?

19 MS. PAINTER: We engaged in a variety of ways with  
20 NGOs. I mean, we were engaged on a government relations  
21 strategy of which there was some ways that we communicated  
22 to get our position across.

23 MR. FOLIO: Can you please describe some of those ways?

24 MS. PAINTER: I mean, I can't--I can't recall with  
25 specificity right now. I mean, if you give me some specific

1 questions, but generally.

2 MR. FOLIO: Sure. Press releases?

3 MS. PAINTER: We did not do press releases.

4 MR. FOLIO: Op-eds?

5 MS. PAINTER: No.

6 MR. FOLIO: Official communications with the United  
7 States government?

8 MS. PAINTER: No.

9 MR. FOLIO: Official communications with Ukrainian  
10 government?

11 MS. PAINTER: No. We did help them edit their  
12 brochures, their corporate brochures.

13 MR. FOLIO: So was this communications support at all  
14 related to the anticorruption issue we spoke a moment ago?

15 MS. PAINTER: No.

16 MR. FOLIO: So turning back to Mr. Archer, what were  
17 Mr. Archer's responsibilities as a board member of Burisma?

18 MS. PAINTER: I do not know.

19 MR. FOLIO: How much was Mr. Archer compensated to  
20 serve on the board of Burisma?

21 MS. PAINTER: I do not know.

22 MR. FOLIO: Other than introducing you to Mr. Vadym,  
23 did Mr. Archer play any other role in the course of you  
24 deciding to represent Burisma?

25 MS. PAINTER: No.

1 MR. FOLIO: Did the board vote on whether or not to  
2 hire Blue Star to represent them?

3 MS. PAINTER: I don't know.

4 MR. FOLIO: Do you think that the decision to hire Blue  
5 Star required any action by the board?

6 MS. PAINTER: It's not--I have no idea.

7 MR. FOLIO: What were Hunter Biden's responsibilities  
8 on Burisma's board?

9 MS. PAINTER: I do not know.

10 MR. FOLIO: How much was Hunter Biden compensated to  
11 serve on the board of Burisma?

12 MS. PAINTER: I do not know.

13 MR. FOLIO: Have you ever met Hunter Biden?

14 MS. PAINTER: Yes.

15 MR. FOLIO: When did you first meet Hunter Biden?

16 MS. PAINTER: I don't recall exactly, but it was about  
17 probably 10 years ago.

18 MR. FOLIO: Are you saying--I'm sorry--2 years before  
19 this 2015 period we're talking about or 2 years ago 2018?

20 MS. PAINTER: No. Probably--probably 10 years ago. I  
21 mean, I don't really recall. I've known--I've known him.

22 MR. FOLIO: And how do you know him?

23 MS. PAINTER: I don't recall exactly how I first met  
24 Hunter, but we served on a board together at the Truman  
25 National Security project.

1 MR. FOLIO: And other than serving on the board of the  
2 Truman project together, did you meet him in any other  
3 context, socially or professionally?

4 MS. PAINTER: Yeah. You know, I may have met him at  
5 large events. I know that at one point, he had a book  
6 signing for one of my colleagues, one of my partners, and I  
7 had--I met him at that book signing party.

8 MR. FOLIO: And who was that colleague?

9 MS. PAINTER: Gabriel Sanchez Zinny. He's no longer  
10 with the firm.

11 MR. FOLIO: Prior to fall of 2015 when Blue Star is  
12 considering taking on Burisma as a client, approximately how  
13 many times have you met with Hunter Biden?

14 MS. PAINTER: Probably over the 10 years before--well,  
15 before 2015, maybe two or three times.

16 MR. FOLIO: So as Blue Star was deciding whether it  
17 wanted to take on Burisma as a client, did you speak with  
18 any current U.S. officials about that--

19 MS. PAINTER: I did not.

20 MR. FOLIO: I'm sorry?

21 MS. PAINTER: I did not. No.

22 MR. FOLIO: Did you ever speak with Vice President  
23 Biden about Burisma, no time limitation?

24 MS. PAINTER: I never spoke to Vice President Biden  
25 about Burisma.

1 MR. FOLIO: Again, no time limitation. Did you ever  
2 speak with anyone in Vice President Biden's staff about  
3 Burisma?

4 MS. PAINTER: I did not.

5 MR. FOLIO: Michael Carpenter?

6 MS. PAINTER: I did not.

7 MR. FOLIO: Colin Kahl?

8 MS. PAINTER: I did not.

9 MR. FOLIO: And just to be clear for your "did nots,"  
10 for all of those, when we say Burisma, that's anything to do  
11 with the company, including Mr. Zlochevsky or Hunter Biden's  
12 position on the board of that company.

13 MS. PAINTER: I have no recollection of talking to the  
14 Vice President or anybody on the Vice President's staff  
15 about Burisma.

16 MR. FOLIO: Have you ever visited the Vice President's  
17 residence at the Naval Observatory?

18 MS. PAINTER: I believe I attended a--holiday parties.

19 MR. FOLIO: Is that parties, more than one total?

20 MS. PAINTER: No. I think I only attended one party.

21 MR. FOLIO: When was that?

22 MS. PAINTER: I don't recall.

23 MR. FOLIO: Do you remember when it was--the Vice  
24 President was Joe Biden?

25 MS. PAINTER: I believe--yeah, I believe so.

1 MR. FOLIO: Did you ever speak to Secretary Kerry about  
2 Burisma or related issues?

3 MS. PAINTER: I did not.

4 MR. FOLIO: So as part of the diligence process, did  
5 Blue Star have any concerns about the involvement of either  
6 the company or Mr. Zlochevsky in corruption?

7 MS. PAINTER: Because I had worked with President  
8 Kwasniewski on Poland's entry into NATO and I had great  
9 respect for him and his judgment, that gave me confidence if  
10 he was involved with the company.

11 MR. FOLIO: Just so I understand your answer, are you  
12 saying that--is that an implicit yes, you had concerns, but  
13 the former president of Poland's position, the board gave  
14 you--gave you comfort that you two could join and work for  
15 them?

16 MS. PAINTER: President Kwasniewski's role on the board  
17 gave me confidence that this was an assignment that I was  
18 comfortable with.

19 MR. FOLIO: And what were his roles and  
20 responsibilities on the board of Burisma?

21 MS. PAINTER: I don't know.

22 MR. FOLIO: So it was his mere presence on the board  
23 that gave you that level of comfort?

24 MS. PAINTER: President Kwasniewski was someone that I  
25 respected, and his being on the board gave me confidence.

1 MR. FOLIO: So either in the negotiation phases to  
2 represent Burisma or any point afterwards, was Blue Star  
3 ever asked to help convince Hunter Biden to end his  
4 relationship with Burisma?

5 MS. PAINTER: Not to my knowledge, no.

6 MR. FOLIO: And prior to the time that we're talking  
7 about now, the fall of 2015, was Blue Star ever asked to  
8 engage on the issue of Hunter Biden and his board membership  
9 on Burisma?

10 MS. PAINTER: I don't understand the question.

11 MR. FOLIO: Sure. So I think the way I phrased my last  
12 question was, during this time in the fall of 2015, when you  
13 were negotiating and deciding whether to take on Burisma as  
14 a client, from that time forward was it ever thought of, or  
15 one of the actual responsibilities of Blue Star to help  
16 convince Hunter Biden to end his relationship with Burisma?

17 MS. PAINTER: No, it was not.

18 MR. FOLIO: And even informally, whether that wasn't  
19 something Burisma was paying you to do, was that ever  
20 something anyone asked you to work on, to provide  
21 information to someone that could then be used to convince  
22 Hunter Biden to end his relationship with Burisma?

23 MS. PAINTER: Who is "someone"?

24 MR. FOLIO: Anyone.

25 MS. PAINTER: Didn't you ask--I don't understand your

1 question, please.

2 MR. FOLIO: Was it ever a goal of yours, whether  
3 formally through the contract or informally otherwise, to  
4 help convince Hunter Biden to sever his relationship with  
5 Burisma?

6 MS. PAINTER: No.

7 MR. FOLIO: As part of Blue Star's work for Burisma,  
8 did Blue Star ever review compensation paid to Burisma board  
9 members?

10 MS. PAINTER: No.

11 MR. FOLIO: Ms. Painter, I'm going to turn the  
12 questioning now over to Josh Flynn-Brown from Chairman  
13 Grassley's staff. Thank you.

14 MR. FLYNN-BROWN: Good morning, Ms. Painter. Can you  
15 hear me okay?

16 MS. PAINTER: Yes.

17 MR. FLYNN-BROWN: Ms. Painter, are you there?

18 MS. PAINTER: Yes.

19 MR. FLYNN-BROWN: Okay. We're having a little bit of  
20 an audio issue. Bear with me.

21 Ms. Painter, you addressed this earlier in your  
22 testimony but I do want to make sure I understand it  
23 clearly. So did the U.S. Government view Burisma as a  
24 corrupt company?

25 MS. PAINTER: I do not know.

1 MR. FLYNN-BROWN: Would you agree that Burisma has a  
2 reputation for engaging in corrupt activity?

3 MS. PAINTER: No.

4 MR. FLYNN-BROWN: Are you aware of whether or not the  
5 U.S. Government viewed Zlochevsky as a corrupt person?

6 MS. PAINTER: I do not know that, no.

7 MR. FLYNN-BROWN: Would you agree that he has a  
8 reputation for engaging in corrupt activity?

9 MS. PAINTER: I do not know that.

10 MR. FLYNN-BROWN: The question is would you agree that  
11 he has a reputation?

12 MS. PAINTER: No.

13 MR. FLYNN-BROWN: Did you ever meet Mykola Zlochevsky?

14 MS. PAINTER: Yes.

15 MR. FLYNN-BROWN: And when was that?

16 MS. PAINTER: I met him at the conference in Monaco,  
17 energy conference.

18 MR. FLYNN-BROWN: And when was that conference?

19 MS. PAINTER: I believe it was in June of 2016.

20 MR. FLYNN-BROWN: Do you recall who you were with when  
21 you met him?

22 MS. PAINTER: I was with Ms. Tramontano and Vadym  
23 Pozharskiy.

24 MR. FLYNN-BROWN: And what was the purpose of that  
25 meeting?

1 MS. PAINTER: It was general introductions. He did not  
2 speak English and I don't speak Ukrainian, so it was a brief  
3 introduction on the edges of the conference.

4 MR. FLYNN-BROWN: That was the only meeting you had  
5 with him?

6 MS. PAINTER: No. I saw him again at the Monaco  
7 conference in 2018.

8 MR. FLYNN-BROWN: Who were you with when you met him in  
9 the 2018 meeting?

10 MS. PAINTER: The same individuals. The same  
11 individuals.

12 MR. FLYNN-BROWN: And what was the purpose of that  
13 meeting?

14 MS. PAINTER: Pleasantries again. Introductions, and  
15 it happened to be Karen's birthday, and birthday wishes.

16 MR. FLYNN-BROWN: Are you aware of whether or not  
17 Zlochevsky [inaudible-audio difficulties]?

18 MS. PAINTER: I have no knowledge of that.

19 MR. FLYNN-BROWN: Are you aware of reporting that while  
20 Zlochevsky was Ecology Minister he issued licenses to oil  
21 and gas companies that belonged to him?

22 MS. PAINTER: I have no knowledge of that.

23 MR. FLYNN-BROWN: Regarding Zlochevsky, were you aware  
24 of any of his other companies besides Burisma?

25 MS. PAINTER: No, I am not aware of his other companies

1 other than Burisma.

2 MR. FLYNN-BROWN: I want to bring up Tab 47. Call this  
3 Exhibit 1. Ms. Painter, I'm only going to refer to the  
4 Services section, but if you'd like to review the document  
5 in full feel free to do so and let me know when you're  
6 ready.

7 [Painter Exhibit No. 1 was  
8 marked for identification.]

9 MS. PAINTER: Okay.

10 MR. FLYNN-BROWN: On page 1 of your Consulting Services  
11 Agreement it provides the services as follows. Quote,  
12 "Provide government relations assistance to the client in  
13 the United States and Ukraine." Did you provide government  
14 relations assistance in the United States?

15 MS. PAINTER: This was a general agreement. The  
16 request was that we understand if Ambassador Pyatt's public  
17 comments about Burisma were his personal view or were the--  
18 was the view of the U.S. Government. That was our initial  
19 reading of it, and that's what we spent a number of months  
20 trying to find out.

21 MR. FLYNN-BROWN: So would you characterize your  
22 efforts as government relations assistance?

23 MS. PAINTER: At this point it was exploratory. We  
24 were trying to figure out the position of Ambassador Pyatt  
25 relative to the U.S. Government.

1 MR. FLYNN-BROWN: --Ambassador Pyatt's position--

2 MS. PAINTER: I'm sorry?

3 MR. FLYNN-BROWN: Once you determined Ambassador  
4 Pyatt's position, did your efforts turn into government  
5 relations assistance?

6 MS. PAINTER: No.

7 MR. FLYNN-BROWN: Other than Ambassador Pyatt, did you  
8 meet with any other U.S. Government officials on behalf of  
9 Burisma?

10 MS. PAINTER: Yes.

11 MR. FLYNN-BROWN: Who?

12 MS. PAINTER: Well, I don't know that I can--the first  
13 meeting that we had with a government official was--I  
14 believe it was Amos Hochstein. We then met with Ambassador  
15 Pyatt.

16 MR. FLYNN-BROWN: Anyone else?

17 MS. PAINTER: I believe we had a series of meetings--  
18 I'm sorry?

19 MR. FLYNN-BROWN: You cut out there. You were saying  
20 you may have had a series of meetings, and then it cut out.

21 MS. PAINTER: We had other meetings. I mean, I don't  
22 have them in front of me. If you want to ask me about  
23 specific meetings, I believe we turned over--every time we  
24 had met with U.S. Government officials, those are in your  
25 documents. I don't want to misstate something on a general-

1 -

2 MR. FLYNN-BROWN: Okay. So when you met with  
3 government officials, whether physically or by email, did  
4 you provide them any written materials, documents, white  
5 papers, or other informational materials on behalf of your  
6 efforts for Burisma?

7 MS. PAINTER: I did not.

8 MR. FLYNN-BROWN: Did you provide government relations  
9 assistance in Ukraine for Burisma?

10 MS. PAINTER: I met with--so ask me the question again,  
11 please.

12 MR. FLYNN-BROWN: Did you provide government relations  
13 assistance in Ukraine for Burisma?

14 MS. PAINTER: We met with government officials in  
15 Ukraine, if that's what you're getting at.

16 MR. FLYNN-BROWN: But would you consider your  
17 activities in Ukraine for Burisma to be government relations  
18 assistance?

19 MS. PAINTER: I mean, we were engaging with the  
20 government, yes.

21 MR. FLYNN-BROWN: Do you recall the Ukrainian  
22 government officials that you met with?

23 MS. PAINTER: In Ukraine?

24 MR. FLYNN-BROWN: Yes.

25 MS. PAINTER: I believe I had participated in one

1 meeting relative to Burisma. That was with the acting  
2 General Prosecutor Sevruk.

3 MR. FLYNN-BROWN: At this point I want to turn to the  
4 second bullet in your Services section, and it says, quote,  
5 "Communicate to officials about the client's business and  
6 its economic importance to Ukraine." Did you do so?

7 MS. PAINTER: We were talking about energy independence  
8 in Ukraine, and it's the number one issue for its national  
9 security. And so we would talk to people about the  
10 importance of Ukraine's energy independence, and as an  
11 independent energy company Burisma was very important in  
12 that regard.

13 MR. FLYNN-BROWN: Can you describe Burisma's economic  
14 importance to Ukraine?

15 MS. PAINTER: Well, it's one of the largest taxpayers.  
16 It's a major employer. And it also serves the national  
17 security that is allowing it be less dependent on Russia.  
18 So it's a very important security element to the country.

19 MR. FLYNN-BROWN: What kind of relationship did the  
20 Ukrainian government have with the natural gas sector?

21 MS. PAINTER: I don't have--I can't comment on that.

22 MR. FLYNN-BROWN: Was the Ukrainian government  
23 supported by corruption, natural gas and energy sector?

24 MS. PAINTER: I have no knowledge of that.

25 MR. FLYNN-BROWN: Were you aware of whether or not the

1 Ukrainian government sought a role in the natural gas trade?

2 MS. PAINTER: I have no knowledge of that.

3 MR. FLYNN-BROWN: What kind of relationship did Burisma  
4 have with the Ukrainian government?

5 MS. PAINTER: I do not know.

6 MR. FLYNN-BROWN: Did Burisma's economic importance or  
7 success benefit the Ukrainian government in any way?

8 MS. PAINTER: No. I have no idea.

9 MR. FLYNN-BROWN: Did the Ukrainian government have a  
10 strong interest in United States taking a favorable position  
11 regarding Burisma?

12 MS. PAINTER: That's not for me to comment. I have no  
13 idea.

14 MR. FLYNN-BROWN: To your knowledge, did the Ukrainian  
15 government or any Ukrainian political party express concerns  
16 about Burisma's reputation in the United States?

17 MS. PAINTER: Not to my knowledge.

18 MR. FLYNN-BROWN: Do you know whether Burisma served as  
19 a vehicle to enrich Ukrainian government officials?

20 MS. PAINTER: Not to my knowledge.

21 MR. FLYNN-BROWN: Would it surprise you if it did?

22 MS. PAINTER: I would not speculate on something like  
23 that.

24 MR. FLYNN-BROWN: Do you know whether Burisma served as  
25 a vehicle to enrich Ukrainian political parties?

1 MS. PAINTER: I have no idea.

2 MR. FLYNN-BROWN: Would it surprise you if it did?

3 MS. PAINTER: I would never speculate on something like  
4 that.

5 MR. FLYNN-BROWN: Are you aware of whether or not  
6 Burisma and Zlochevsky took directions from the Ukrainian  
7 government?

8 MS. PAINTER: I have no idea.

9 MR. FLYNN-BROWN: Are you aware of whether or not  
10 Burisma and Zlochevsky took directions from any political  
11 party?

12 MS. PAINTER: I have no idea.

13 MR. FLYNN-BROWN: As part of your work for Burisma, did  
14 you work to foster ties between Ukraine and the United  
15 States?

16 MS. PAINTER: No.

17 MR. FLYNN-BROWN: When meeting with U.S. Government  
18 officials, did you intend to influence U.S. policy towards  
19 Burisma?

20 MS. PAINTER: No.

21 MR. FLYNN-BROWN: So when you were meeting with  
22 Ambassador Pyatt to figure out what his position was with  
23 respect to Burisma, once you found out you did not intend to  
24 alter what he believed to be the U.S. Government's policy  
25 with respect to Burisma. Is that correct?

1 MS. PAINTER: I did not. That's correct.

2 MR. FLYNN-BROWN: Did you ever employ former Ukrainian  
3 government officials for your work with Burisma?

4 MS. PAINTER: Yes.

5 MR. FLYNN-BROWN: Who?

6 MS. PAINTER: We had, as a contractor, a former--a  
7 young man who had worked at the Ukrainian Embassy.

8 MR. FLYNN-BROWN: Who was that?

9 MS. PAINTER: His name was Andrii Telizhenko.

10 MR. FLYNN-BROWN: Did you ever employ any other former  
11 Ukrainian government officials?

12 MS. PAINTER: I did not.

13 MR. FLYNN-BROWN: I'd like to point to the third bullet  
14 in the Consulting Services Agreement. It states, quote,  
15 "Prepare brief written reports as requested by the client."  
16 Did you do so?

17 MS. PAINTER: As it turned out we really didn't do much  
18 written. It was predominantly verbal communication and  
19 debriefing.

20 MR. FLYNN-BROWN: Did you ever create a lobbying plan  
21 for your Burisma work?

22 MS. PAINTER: We did not.

23 MR. FLYNN-BROWN: Did you engage in any public  
24 relations activity for Burisma?

25 MS. PAINTER: We did not.

1 MR. FLYNN-BROWN: Did you write any op-eds or make  
2 contact with the media on behalf of Burisma?

3 MS. PAINTER: I did not.

4 MR. FLYNN-BROWN: Did anyone in your firm do so?

5 MS. PAINTER: Not to my knowledge.

6 MR. FLYNN-BROWN: Did you outsource any of your work  
7 for Burisma to other companies, contractors, or individuals?

8 MS. PAINTER: Not our work.

9 MR. FLYNN-BROWN: Regarding your representation of the  
10 national interest of Ukraine, what kind of work did you do  
11 for them?

12 MS. PAINTER: I--you know, I wasn't involved in that  
13 work so I don't recall.

14 MR. FLYNN-BROWN: Who was?

15 MS. PAINTER: Ms. Tramontano.

16 MR. FLYNN-BROWN: Do you know whether this was a  
17 nonprofit organization?

18 MS. PAINTER: I don't know. I don't recall.

19 MR. FLYNN-BROWN: Do you know whether that entity  
20 served as a vehicle to enrich Ukrainian government  
21 officials?

22 MS. PAINTER: No.

23 MR. FLYNN-BROWN: Do you know whether that entity  
24 served as a vehicle to enrich Ukrainian political parties?

25 MS. PAINTER: No.

1 MR. FLYNN-BROWN: Are you aware of whether or not that  
2 entity and its leadership took directions from the Ukrainian  
3 government or any Ukrainian government officials?

4 MS. PAINTER: No.

5 MR. FLYNN-BROWN: Are you aware of whether or not your  
6 firm engaged in any public relations activity for that  
7 entity?

8 MS. PAINTER: I don't know.

9 MR. FLYNN-BROWN: Are you aware of whether or not your  
10 firm wrote any op-eds or engaged with the media on behalf of  
11 that entity?

12 MS. PAINTER: No.

13 MR. FLYNN-BROWN: At this point my line of questioning  
14 on this issue is done. I may revisit some issues, but I  
15 want to pass the microphone back to Scott. Thank you, Ms.  
16 Painter.

17 MR. WITTMANN: Hi, Ms. Tramontano. My name is Scott  
18 Wittmann. Can you hear me?

19 MS. PAINTER: I'm not Ms. Tramontano. I'm Ms. Painter.

20 MR. WITTMANN: Oh, my apologies, Ms. Painter.

21 MS. PAINTER: No worries.

22 MR. WITTMANN: You can hear me. Thank you for your  
23 time today. We just have a few minutes left before we send  
24 it over to the minority for their questions so I'll just ask  
25 you one question on one document and then we'll send it over

1 to them.

2 I'd like to introduce what we'll mark as Exhibit 2 into  
3 the record. This is Tab 30, Will.

4 [Painter Exhibit No. 2 was  
5 marked for identification.]

6 MR. WITTMANN: Ms. Painter, please let me know when you  
7 can see this on your screen.

8 MS. PAINTER: Okay. Can you scroll down, please?  
9 Okay. Keep going. Is that the end?

10 MR. WITTMANN: Yes, that is the end, and we can scroll  
11 back up so you can see that first email. On April 21, 2014,  
12 you contacted Dan Fried, and I think I'm pronouncing that  
13 correctly but let me know if I'm not, and wrote, "Please let  
14 me know a convenient time to briefly speak on Ukraine." Mr.  
15 Fried responded, "Let's talk tomorrow." Could you let us  
16 know who Mr. Fried is?

17 MS. PAINTER: That's Ambassador Daniel Fried. He was  
18 the Assistant Secretary for Europe at the Department of  
19 State.

20 MR. WITTMANN: Thank you. And what did you want to  
21 speak with Mr. Fried about, about Ukraine?

22 MS. PAINTER: I wanted to get his position on whether  
23 the U.S. Government was going to support increased financial  
24 support for the govt of Ukraine.

25 MR. WITTMANN: Did you and Mr. Fried connect?

1 MS. PAINTER: I believe we did. I can't recall  
2 specifically.

3 MR. WITTMANN: Did Ms. Tramontano join this discussion?

4 MS. PAINTER: I don't believe so. I can't recall.

5 MR. WITTMANN: If she did, would you normally debrief  
6 Ms. Tramontano about this type of a discussion?

7 MS. PAINTER: Not necessarily.

8 MR. WITTMANN: What work did Blue Star have related to  
9 Ukraine in 2014?

10 MS. PAINTER: We were working with the Atlantic Council  
11 to get support for additional aid to Ukraine. They had been  
12 invaded by the Russians, and we were trying to be  
13 supportive.

14 MR. WITTMANN: At this point in time, in April 2014,  
15 did you have any awareness of the company Burisma?

16 MS. PAINTER: I had no awareness whatsoever.

17 MR. WITTMANN: Okay. I think our time just ended.  
18 Zack, I'm happy to turn it over to you, or Ms. Painter, if  
19 you would like a break please let us know.

20 MS. PAINTER: A five-minute break would be great.

21 MR. WITTMANN: That sounds good. Zack?

22 MR. SCHRAM: Sounds good.

23 MR. WITTMANN: Okay. We'll take five and we can  
24 reconvene at 11:23.

25 MR. SCHRAM: Let's call it 11:25.

1 MR. WITTMANN: Okay.

2 [Recess.]

3 MR. SCHRAM: Let's go on the record.

4 Ms. Painter, thank you for being here this morning.

5 Thank you for your patience. Can you describe your career  
6 time prior to starting at Blue Star Strategies?

7 MS. PAINTER: Sure, thank you. I started my career at  
8 the American Association for the Advancement of Science  
9 working for the Committee on Freedom and Responsibility,  
10 working to get Soviet scientists out of prison. I did that  
11 human rights work for a number of years, and then I went and  
12 I worked at a firm that did economic analysis, portfolio  
13 analysis for the Fortune 500, helping them insulate  
14 themselves from the cyclicalities of the market.

15 I then went into the Clinton administration working for  
16 Secretary Ron Brown, the late Commerce Secretary, and worked  
17 on trade, to promote American trade abroad and  
18 internationally.

19 Then I found my real passion, which was to work on  
20 transatlantic relations, and I spent the last 25 years  
21 working to get former Soviet countries into Western  
22 institutions like NATO, EU, OECD, and have been very  
23 passionate about the transatlantic relationship, and that's  
24 really been my focus for the last 25 years.

25 MR. SCHRAM: Are there any particular achievements from

1 your work either in the Clinton administration or working on  
2 transatlantic relations that you're particularly proud of?

3 MS. PAINTER: Thank you for asking. I really believe  
4 that one of the most important things that we have done as  
5 Americans--and I was proud to be a part of it--is to get the  
6 former Soviet countries into NATO, particularly the Baltics.  
7 If we hadn't done that, it may not have been Georgia and  
8 Ukraine but Latvia or Lithuania or Estonia. So I'm very,  
9 very proud of that work and continue to devote time to  
10 ensuring that more countries can get into the Western  
11 alliance.

12 MR. SCHRAM: And what's the Global Fairness Initiative?

13 MS. PAINTER: The Global Fairness Initiative is an NGO  
14 that I sit on the board of and helped create that tries to  
15 alleviate poverty for the poorest of producers. And so we  
16 work on programming around the world with an economic base.

17 MR. SCHRAM: In the majority's first hour, they raised  
18 Andrii Telizhenko. Do you know Andrii Telizhenko?

19 MS. PAINTER: I do.

20 MR. SCHRAM: How do you know him?

21 MS. PAINTER: I met Andrii Telizhenko when he was  
22 working as a low-level junior assistant at the embassy.

23 MR. SCHRAM: And what work--

24 MS. PAINTER: The Ukrainian Embassy.

25 MR. SCHRAM: And what work did he do for Blue Star

1 Strategies?

2 MS. PAINTER: Do you mean when he was in the government  
3 or--or when do you mean?

4 MR. SCHRAM: At some point did he have a relationship  
5 with Blue Star Strategies?

6 MS. PAINTER: So, okay, yes. He was hired as a  
7 contract--subcontract employee, contractor, and he did  
8 administrative work following press and, you know, helping  
9 identify emails and such.

10 MR. SCHRAM: And at some point did that relationship  
11 end?

12 MS. PAINTER: Yes.

13 MR. SCHRAM: Why?

14 MS. PAINTER: He at one point had been heavily quoted  
15 in the press, and we as a firm do not engage with the press,  
16 and that was breaking one of our tenets, and so we had to  
17 put him on hold. And so we put him on hold for that  
18 misstep. He needed work, and he eventually came back and  
19 promised that he would not speak to the press, so we engaged  
20 him for a few more months generally, but then we decided it  
21 was best to part ways.

22 MR. SCHRAM: So when you say he promised that he would  
23 stop communicating to the press, did he keep that promise?

24 MS. PAINTER: He did not.

25 MR. SCHRAM: You said he was put on hold. Do you mean

1 that his contract was suspended?

2 MS. PAINTER: It was actually more than suspended. It  
3 was cut off. But when he came back to us and he said he  
4 would not talk to the press and that he needed the work and  
5 that he could still do the admin stuff, we put him on back  
6 for a couple more months. But he did not honor that.

7 MR. SCHRAM: Not speaking to the press, was that part  
8 of a contractual obligation with Mr. Telizhenko or just a  
9 company policy?

10 MS. PAINTER: It was a company policy.

11 MR. SCHRAM: And he gave his word that he would honor  
12 it but he didn't?

13 MS. PAINTER: He did not.

14 MR. SCHRAM: Sorry, just to clarify, he did not give  
15 his word or he did not honor the policy?

16 MS. PAINTER: He did not honor the policy.

17 MR. SCHRAM: Based on your interactions with Mr.  
18 Telizhenko, do you find him credible?

19 MS. PAINTER: I do not.

20 MR. SCHRAM: Would you care to elaborate?

21 MS. PAINTER: We'd asked him to do admin and sort of  
22 low-level administrative things, and it became increasingly  
23 clear that he may have had another agenda because he wasn't  
24 following what we were asking him to do. And he became  
25 increasingly--he had conspiracy theories that were unfounded

1 and not proven, and we like to deal in facts. And so we  
2 felt that he did not have--he was not credible. He was a  
3 young guy.

4 MR. SCHRAM: You mentioned that you judged him to have  
5 his own agenda. In your view, what was that agenda?

6 MS. PAINTER: I don't want to speculate on the agenda,  
7 but clearly the minimal tasks that we had asked him to do,  
8 he was engaging on side projects or things that we had  
9 nothing to do or no knowledge and no longer felt that he was  
10 the right fit.

11 MR. SCHRAM: Ms. Painter, are you familiar with the  
12 public reporting that Andrii Telizhenko is responsible for  
13 amplifying Russian disinformation theories that Ukraine  
14 interfered in the 2016 election?

15 MS. PAINTER: Yes.

16 MR. SCHRAM: Are you aware that last week the Senate  
17 Intelligence Committee published a bipartisan report that  
18 concluded that the narrative that Mr. Telizhenko promotes  
19 about Ukraine's 2016 election interference originated with a  
20 Russian intelligence officer, Konstantin Kilimnik?

21 MS. PAINTER: Yes.

22 MR. SCHRAM: Are you aware that after Mr. Telizhenko's  
23 Ukraine election interference became public, Chairman  
24 Johnson met with him on or about July 2019?

25 MS. PAINTER: I was not aware of that. I mean, I've

1 subsequently become aware of it, but I wasn't at the time.

2 MR. SCHRAM: Marking as Exhibit A, a photograph. Roy  
3 will put it on the screen.

4 [Painter Exhibit A was marked  
5 for identification.]

6 MR. SCHRAM: Bear with us as Roy operates it.

7 Ms. Painter, do you recognize the individuals in this  
8 photograph?

9 MS. PAINTER: I do.

10 MR. SCHRAM: Who are they?

11 MS. PAINTER: Andrii Telizhenko and Senator Johnson.

12 MR. SCHRAM: Marking as Exhibit B a September 27, 2019,  
13 letter sent from Chairman Grassley and Chairman Johnson to  
14 Attorney General Barr.

15 [Painter Exhibit B was marked  
16 for identification.]

17 MR. SCHRAM: Please take a moment to familiarize  
18 yourself with this letter if you need one.

19 MS. PAINTER: Could you please scroll down? Okay,  
20 pause. Stop.

21 MR. SCHRAM: I will ask you about the top of page 2.

22 [Pause.]

23 MS. PAINTER: Okay. You can scroll down.

24 [Pause.]

25 MS. PAINTER: Stop.

1 MR. FOLIO: Zack, this is Joe. While Ms. Painter is  
2 reading, I just wanted to make one point for the record  
3 reflected in this letter. I think you said that when  
4 Chairman Johnson met with Mr. Telizhenko in the summer of  
5 2019, he had just learned about the allegations that he made  
6 about his contact with DNC operatives. I just want to make  
7 clear it's reflected in this letter; that was made clear in  
8 a January 2017 news article that Chairman Grassley wrote  
9 about in July 2017. So that's when the allegations of his  
10 contact with the DNC operative first arose. Thanks.

11 MR. SCHRAM: I don't think that accurately  
12 characterized my question. We can let the record--

13 MR. FOLIO: I wasn't trying to characterize your  
14 question. I was just trying to be clear for the record as  
15 to when the agricultures of Mr. Telizhenko's contact with a  
16 DNC operative first arose. They were first reported in  
17 January 2017. Chairman Grassley wrote about them in July  
18 2017, and that's what's reflected in the top of this letter.  
19 Thanks.

20 MR. SCHRAM: So, Joe, my questioning had the timeline  
21 correct, but you've now had an opportunity to state your  
22 narrative during the minority's hour, and I would ask that  
23 you respect our time. There was nothing in what you said  
24 just now that was in any way inconsistent with the question  
25 I asked.

1 MR. FOLIO: Okay. Sorry if I misheard. I just wanted  
2 to make sure the record was clear.

3 MS. PAINTER: So I've read the first two paragraphs.

4 MR. SCHRAM: Ms. Painter, are you aware that on  
5 September 27, 2019, Chairman Johnson and Chairman Grassley  
6 wrote a letter to Attorney General Barr which cites a John  
7 Solomon article and quoting Andrii Telizhenko as a basis for  
8 their request?

9 MS. PAINTER: I mean, I'm vaguely aware of some of this  
10 stuff, but I didn't follow it closely.

11 MR. SCHRAM: But you can see in this letter that it  
12 includes a block quote, which is taken from a John Solomon  
13 article, and the quote is of Andrii Telizhenko.

14 MS. PAINTER: So can you just go up a little bit? So I  
15 just want to make sure I know what the quote is. So you're  
16 saying Chalupa said the DNC wanted to collect? That's the  
17 quote you're using?

18 MR. SCHRAM: Correct.

19 MS. PAINTER: You're asking about.

20 MR. SCHRAM: Just that that is a quote from Andrii  
21 Telizhenko that is offered as a basis for the request made  
22 by the Chairmen.

23 MS. PAINTER: Yes, I'm aware of it because I'm reading  
24 it right now, yes.

25 MR. SCHRAM: Marking as Exhibit C a November 21, 2019,

1 letter from Chairman Johnson and Chairman Grassley to the  
2 Archivist of the United States.

3 [Painter Exhibit C was marked  
4 for identification.]

5 MR. SCHRAM: Drawing your attention to the top of the  
6 second full paragraph, the paragraph that begins, "According  
7 to Andrii Telizhenko."

8 MS. PAINTER: Okay.

9 MR. SCHRAM: And then drawing your attention again to  
10 the second page, to the same block quote, also introduced by  
11 saying, "According to Andrii Telizhenko."

12 MS. PAINTER: Yes.

13 MR. SCHRAM: Roy, if you'll just permit Ms. Painter the  
14 opportunity to review the rest of this letter.

15 MS. PAINTER: Okay. I need to go down to White House  
16 visitor logs. Scrolling down.

17 [Pause.]

18 MS. PAINTER: Okay, stop.

19 MR. SCHRAM: Ms. Painter, as you can see, the Chairmen  
20 again included information attributed to Andrii Telizhenko  
21 as a basis for their document requests.

22 MS. PAINTER: Yes.

23 MR. SCHRAM: Twelve days later, on December 3, 2019,  
24 the Chairmen sent a letter to your firm. We'll admit that  
25 letter a Exhibit D.

1 [Painter Exhibit D was marked  
2 for identification.]

3 MR. SCHRAM: And looking at the first full paragraph,  
4 the middle of the paragraph, it begins, "Recent reports  
5 indicate that Blue Star Strategies sought to leverage Hunter  
6 Biden's membership on the board of directors for Burisma in  
7 its communications and meetings with various U.S. Government  
8 officials at the same time his father, then-Vice President  
9 Joe Biden, served as the public face of the administration's  
10 handling of the Ukraine"--pardon me, "of Ukraine."

11 MS. PAINTER: Yes.

12 MR. SCHRAM: Ms. Painter, did you or Blue Star  
13 Strategies use Hunter Biden's name as "leverage" to meet  
14 with Obama administration officials?

15 MS. PAINTER: We did not.

16 MR. SCHRAM: Do you consider Andrii Telizhenko to be a  
17 reliable source of information for document requests and  
18 information requests?

19 MS. PAINTER: I do not.

20 MR. SCHRAM: Marking as Exhibit E a December 6, 2019,  
21 press release from Chairman Johnson.

22 [Painter Exhibit E was marked  
23 for identification.]

24 MR. SCHRAM: And, Roy, if you'll please scroll down.

25 [Pause.]

1 MS. PAINTER: Okay. Okay. Stop.

2 MR. SCHRAM: So drawing your attention to the paragraph  
3 that begins "In addition" in this press release, the press  
4 release says in the second sentence: They are also seeking  
5 a similar interview with Andrii Telizhenko, a political  
6 officer within the Ukrainian embassy at the time.

7 MS. PAINTER: Okay.

8 MR. SCHRAM: So are you aware that after requesting  
9 records from your firm on December 3rd, three days later on  
10 December 6th, Chairman Johnson's staff wrote to Mr.  
11 Telizhenko to request documents and to request that Mr.  
12 Telizhenko participate in a voluntary transcribed interview,  
13 which is captured in this press release.

14 MS. PAINTER: I think I have to go down further. I  
15 mean, I read the--I read--okay. If you could keep going  
16 down. Keep going down.

17 Okay. I'm sorry. Your question?

18 MR. SCHRAM: Are you aware that Chairman Johnson  
19 requested an interview of Mr. Telizhenko and  
20 contemporaneously put a press release announcing their  
21 request of an interview Mr. Telizhenko?

22 MS. PAINTER: I became aware of it. I don't know if it  
23 was exactly that same time, but yes, I was aware of it. I  
24 became aware of it.

25 MR. SCHRAM: Ms. Painter, are you aware that Andrii

1 Telizhenko appeared on Rudy Giuliani's YouTube show "Common  
2 Sense," which aired on February 8th, 2020?

3 MS. PAINTER: I'm aware that he did a number of YouTube  
4 videos with him, with Mr. Telizhenko.

5 MR. SCHRAM: On the February 8th YouTube show, Mr.  
6 Giuliani asked Mr. Telizhenko, quote, What are they all  
7 about, Blue Star Strategies? What are they?

8 Mr. Telizhenko replied: They are the lobbying firm for  
9 Burisma Holdings. They were involved, from what I  
10 understand, from the beginning when Burisma hired Hunter  
11 Biden. They were offered a job there by Burisma themselves  
12 after they came up with an audit who at the request of Mr.  
13 Vice President Biden, they did, and came up with no evidence  
14 that the company is corrupt. And they provided this  
15 information to Mr. Biden, from what I heard personally from  
16 the owners of Blue Star, by Sally Painter, and also they  
17 provided this information to Burisma and officially got  
18 hired right afterwards.

19 Did Vice President Biden ever request you or your firm  
20 to conduct, quote, an audit of Burisma?

21 MS. PAINTER: Never.

22 MR. SCHRAM: Did you ever provide information to Vice  
23 President Biden during your representation of Burisma?

24 MS. PAINTER: Never.

25 MR. SCHRAM: Is there anything else you'd like to add

1 about the validity of the statement that Mr. Telizhenko made  
2 to Mr. Giuliani?

3 MS. PAINTER: It's totally inaccurate and fanciful and  
4 another indication that he makes things up and has another  
5 agenda--

6 MR. SCHRAM: Ms. Painter, two weeks--

7 MS. PAINTER: --about the facts.

8 MR. SCHRAM: Ms. Painter, two weeks after this  
9 interview aired, Chairman Johnson requested subpoena  
10 authorization for documents in a voluntary transcribed  
11 interview of Andrii Telizhenko. It was requested on  
12 February 24th, 2002, in a letter to Ranking Member Peters,  
13 which we're marking as Exhibit F.

14 [Painter Exhibit F was marked  
15 for identification.]

16 MS. PAINTER: Okay. Stop.

17 [Pause.]

18 MS. PAINTER: Okay. Please keep going. Stop.

19 MR. SCHRAM: Ms. Painter, I'm going to ask you about  
20 the paragraph that begins "In response," and just let me  
21 know when you're ready.

22 MS. PAINTER: Okay.

23 [Pause.]

24 MS. PAINTER: Okay. If you keep doing down to finish  
25 the paragraph. Okay.

1 MR. SCHRAM: Roy, can you just go up to the top of that  
2 paragraph, please?

3 So in the chairman's letter of February 24th, he  
4 writes: Mr. Telizhenko confirmed his intention to cooperate  
5 fully with the committee's investigation and expressed his  
6 readiness to provide any evidence in his possession. During  
7 the course of our conversations with Mr. Telizhenko, he  
8 informed us that he worked as a consultant for Blue Star,  
9 and he has responsive records from his time there,  
10 specifically records relating to the work he did at Burisma.

11 Did you consider Mr. Telizhenko to be a consultant?

12 MS. PAINTER: He was a contract--contractor for general  
13 work that Blue Star was doing in Ukraine.

14 MR. SCHRAM: Do you think conversations with Mr.  
15 Telizhenko are credible as the basis for an investigation?

16 MS. PAINTER: Definitely not.

17 MR. SCHRAM: On March 1st, Chairman Johnson sent a  
18 letter to committee members outlining the reasons for  
19 requesting subpoena authorization for Mr. Telizhenko. We'll  
20 mark that letter as Exhibit G.

21 [Painter Exhibit G was marked  
22 for identification.]

23 MS. PAINTER: Okay.

24 MR. SCHRAM: Take as much time as you want to  
25 familiarize yourself with this request. I'm going to ask

1 you about the third paragraph that Roy just scrolled past.

2 MS. PAINTER: Okay. Stop. Go up a little bit, please.

3 MR. SCHRAM: Yeah. I'm going to ask you about the  
4 paragraph that begins "Blue Star."

5 MS. PAINTER: Okay. I have it, to answer questions  
6 about that paragraph.

7 MR. SCHRAM: The last sentence of that paragraph says,  
8 As part of the Committee's ongoing investigation, it has  
9 received U.S. government records indicating that Blue Star  
10 sought to leverage Hunter Biden's role as a board member for  
11 Burisma to gain access to and potentially influence matters  
12 at the State Department.

13 Ms. Painter, did you seek to leverage Hunter Biden's  
14 role as a board member of Burisma to gain access to and  
15 potentially influence matters at the State Department?

16 MS. PAINTER: Never.

17 MR. SCHRAM: Roy, if you don't mind continuing to  
18 scroll down so Ms. Painter can review this letter.

19 MS. PAINTER: Okay. Stop.

20 [Pause.]

21 MR. SCHRAM: I will ask you a question about the last  
22 paragraph.

23 MS. PAINTER: Does it starts with "As part of this  
24 investigation"?

25 MR. SCHRAM: No.

1 MS. PAINTER: Okay. Then can you keep going, please?

2 Stop.

3 [Pause.]

4 MS. PAINTER: Okay. You can keep going. Stop.

5 [Pause.]

6 MS. PAINTER: Okay. You can keep going. Stop.

7 [Pause.]

8 MS. PAINTER: Keep going, please. Stop.

9 [Pause.]

10 MS. PAINTER: Okay.

11 MR. SCHRAM: Ms. Painter, in the last paragraph, the  
12 chairman wrote, But I do wonder why would anyone object to  
13 the committee receiving records about a Democrat lobbying  
14 firm appearing to strong-arm U.S. officials at the State  
15 Department for the benefit of a corrupt Ukrainian company?

16 Did you or your firm strong-arm State Department  
17 officials to benefit Burisma?

18 MS. PAINTER: Never.

19 MR. SCHRAM: Are you aware that on--that after  
20 bipartisan pressure from committee members concerned about a  
21 Russian disinformation effort, the chairman abruptly  
22 withdrew his subpoena authorization request for Andrii  
23 Telizhenko?

24 MS. PAINTER: Yes.

25 MR. SCHRAM: Are you aware that in a July 2020

1 interview with BuzzFeed News, Mr. Telizhenko claimed, quote,  
2 We are going to expose corruption under the Obama-Biden  
3 administration in Ukraine and promise that, quote, there's a  
4 lot of new information still to come?

5 MS. PAINTER: I was not aware of that but don't believe  
6 that there is any.

7 MR. SCHRAM: Is Mr. Telizhenko a reliable source  
8 concerning corruption in the Obama administration?

9 MS. PAINTER: I don't believe so.

10 MR. SCHRAM: Ms. Painter, Chairman Johnson sent a  
11 letter on August 10th. I won't ask you to review it. It's  
12 11 pages long. In that letter, he asks, quote, Did Burisma,  
13 its owner, or representatives receive special access to or  
14 treatment from U.S. agencies or officials because of Hunter  
15 Biden's role on the board of directors?

16 Ms. Painter, did you or your firm receive special  
17 access to U.S. government agencies or officials because of  
18 Hunter Biden's position on Burisma's board?

19 MS. PAINTER: No.

20 MR. SCHRAM: Did you or your firm receive special  
21 treatment from U.S. agencies or officials because of Hunter  
22 Biden's role on the board of directors?

23 MS. PAINTER: No.

24 MR. SCHRAM: Did you use Hunter Biden's name to secure  
25 a meeting with Ambassador Pyatt?

1 MS. PAINTER: No.

2 MR. SCHRAM: Did you use Hunter Biden's name to secure  
3 a meeting with Amos Hochstein?

4 MS. PAINTER: No.

5 MR. SCHRAM: Did you use Hunter Biden's name to secure  
6 a meeting with Ambassador Yovanovitch?

7 MS. PAINTER: No.

8 MR. SCHRAM: Did you use Hunter Biden's name to secure  
9 a meeting with any State Department official?

10 MS. PAINTER: No.

11 MR. SCHRAM: Did you use Hunter Biden's name to secure  
12 a meeting with any U.S. government official?

13 MS. PAINTER: No.

14 MR. SCHRAM: Did you or your firm ever meet with Vice  
15 President Biden on behalf of Burisma?

16 MS. PAINTER: Never.

17 MR. SCHRAM: Did you ever consult with Vice President  
18 Biden about Blue Star Strategies and its representation of  
19 Burisma?

20 MS. PAINTER: Never.

21 MR. SCHRAM: Did the Vice President ever direct any of  
22 Blue Star Strategies in its representation of Burisma?

23 MS. PAINTER: No.

24 MR. SCHRAM: Did you ever consult with Hunter Biden  
25 about Blue Star Strategies and its representation of

1 Burisma?

2 MS. PAINTER: Never.

3 MR. SCHRAM: Did Hunter Biden ever direct any of Blue  
4 Star Strategies and its representation of Burisma?

5 MS. PAINTER: No.

6 MR. SCHRAM: Did any of your meetings with any Obama  
7 administration officials on behalf of Burisma result in  
8 policy changes toward Ukraine?

9 MS. PAINTER: No.

10 MR. SCHRAM: Are you aware of any policy changes made  
11 in the Obama administration intended to benefit Burisma?

12 MS. PAINTER: No.

13 MR. SCHRAM: Did Vice President change Ukraine policy  
14 because of the influence of Blue Star Strategies?

15 MS. PAINTER: No.

16 MR. SCHRAM: Did the State Department change Ukraine  
17 policy because of the influence of Blue Star Strategies?

18 MS. PAINTER: No.

19 MR. SCHRAM: Did any U.S. government official change  
20 Ukraine policy because of the influence of Blue Star  
21 Strategies?

22 MS. PAINTER: No, not that I'm aware.

23 MR. SCHRAM: To your knowledge, did Vice President  
24 Biden alter Ukraine policy because of Hunter Biden's role on  
25 the board of Burisma?

1 MS. PAINTER: I have no way--no. No. No, he did not.

2 MR. SCHRAM: To your knowledge, did Vice President  
3 Biden alter our policy in Ukraine in any manner to benefit  
4 his son?

5 MS. PAINTER: Not to my knowledge.

6 MR. SCHRAM: Do you have a view of the--of who it  
7 benefits to provide these allegations a large platform?

8 MS. PAINTER: I mean, I don't believe--I mean, I can't  
9 speculate, but this is not helpful to our democracy.

10 MR. SCHRAM: You spoke about your work advancing the  
11 Western Alliance in Europe. What are the consequences of  
12 advancing a false narrative about Obama-Biden corruption in  
13 Ukraine with respect to Western interests in Europe?

14 MS. PAINTER: I think it undermines our credibility and  
15 undermines our democracy.

16 MR. SCHRAM: And what about the democracy of Ukraine?

17 MS. PAINTER: You know, I'm--I don't believe that this  
18 is a positive narrative for anybody, and I don't think it's  
19 positive for American, U.S. policy.

20 MR. SCHRAM: That's all.

21 MR. FOLIO: Hi, Ms. Painter. Joe Folio for Chairman  
22 Johnson's staff.

23 Do you need a break, or are you happy to keep going for  
24 a little while?

25 MS. PAINTER: We can go for a little bit, but maybe in

1 15 minutes or so.

2 MR. FOLIO: Okay. That sounds fair.

3 I'm sorry, Zack. I'm not sure if you could maybe let  
4 me know the chairman's February 24th letter. You all  
5 introduced that as an exhibit. I just want to make sure I  
6 am referring to it appropriately. What exhibit was that for  
7 you all?

8 MR. SCHRAM: F.

9 MR. FOLIO: Thank you.

10 Ms. Painter, the Minority staff showed you Exhibit F,  
11 which was the February 24th letter in which Chairman Johnson  
12 provide notice to the committee of his intention to subpoena  
13 Mr. Telizhenko for certain records and testimony. I just  
14 want to make sure. Was it clear to you that the sole basis  
15 of the subpoena that Chairman Johnson sought from the  
16 committee was for Mr. Telizhenko's records and his knowledge  
17 of his time working for you all, for Blue Star Strategies?

18 MS. PAINTER: Did I know that that was the basis?

19 MR. FOLIO: I just want to make sure. Was that clear  
20 to you from your review of Exhibit F with the Minority that  
21 the chairman sought to subpoena Mr. Telizhenko only for his  
22 records from the time that he worked for Blue Star  
23 Strategies?

24 MS. PAINTER: I think it speaks for itself.

25 MR. FOLIO: I agree. And do you understand that the

1 reason why Chairman Johnson sought that subpoena is because  
2 pursuant to your contract with Mr. Telizhenko, he was bound  
3 by a nondisclosure agreement? Do you understand that?

4 MS. PAINTER: I would not speculate on what he  
5 understood or didn't understand.

6 MR. FOLIO: Did your contract with Mr. Telizhenko  
7 include a nondisclosure agreement?

8 MS. PAINTER: Yes.

9 MR. FOLIO: Ms. Painter, if you thought that Mr.  
10 Telizhenko was untrustworthy or unreliable, why did you hire  
11 him back after his January hiatus?

12 MS. PAINTER: Mr. Telizhenko was--his contract was  
13 stopped because he was talking to the press. He came back  
14 to us and said he needed the work and that he would not  
15 speak to the press, and so we said if you don't speak to the  
16 press we can go back to a general assignment where he would  
17 do administrative things and following the press and  
18 translation kinds of things. And then he disregarded that.

19 MR. FOLIO: When and how?

20 MS. PAINTER: I don't recall the exact point, but it  
21 was perpetual. And so we realized that we had different  
22 agendas and we amicably ended the contract.

23 MR. FOLIO: So if it was perpetual, why didn't you just  
24 end the contract? Why did you continue it from February  
25 through May?

1 MS. PAINTER: I don't recall the exact details.

2 MR. FOLIO: Ms. Painter, was it your position at the  
3 time that you ended your contract with Mr. Telizhenko that  
4 he was untrustworthy and unreliable?

5 MS. PAINTER: You know, over time we lost faith in him  
6 and his credibility, and over time he became increasingly--  
7 he created scenarios and things that could not be  
8 corroborated, which made us uncomfortable, and that grew  
9 over time.

10 MR. FOLIO: So I want to be clear, because what the  
11 minority counsel read to you was statements that Mr.  
12 Telizhenko from, you know, the end of last year or even  
13 early this year. So you're making assessments as to Mr.  
14 Telizhenko. I just want to be clear what your thoughts were  
15 about Mr. Telizhenko at the time he worked and you continued  
16 to employ him at Blue Star. So you said he spoke to the  
17 press. What other specific reasons gave you concern with  
18 Mr. Telizhenko?

19 MS. PAINTER: I think I answered that question, that he  
20 was increasingly talking about conspiracy theories that  
21 could not be corroborated, and we became increasingly  
22 uncomfortable with his credibility, and his motives.

23 MR. FOLIO: And yet you brought in back on board to  
24 work with you for four more months.

25 MS. PAINTER: It was after that, that it further

1 deteriorated. He was good for a little bit and then he  
2 started to deteriorate again.

3 MR. FOLIO: What was the article, or the news report,  
4 that sparked the initial freeze in Mr. Taliento's employment  
5 in January of that year?

6 MS. PAINTER: The Politico article.

7 MR. FOLIO: And what was the Politico article?

8 MS. PAINTER: He was quoted as criticizing both his  
9 boss, Ambassador Chaly, and the President of Ukraine,  
10 President Poroshenko.

11 MR. FOLIO: I'm going to introduce as majority Exhibit  
12 3.

13 [Painter Exhibit No. 3 was  
14 marked for identification.]

15 MR. FOLIO: Ms. Painter, is this the Politico article  
16 to which you're referring, written by Ken Vogel and David  
17 Stern, January 11, 2017, and titled "Ukraine Efforts to  
18 Sabotage Trump Backfire"?

19 MS. PAINTER: I have to read it. I don't have it at  
20 this time. Keep going, please. Okay, stop. Okay, keep  
21 going, please. Okay, keep going. Keep going. Stop.

22 MR. FOLIO: Ms. Painter, I can help focus you a little  
23 bit, if we could scroll down to the bottom of page 6.

24 MS. PAINTER: Okay.

25 MR. FOLIO: It's the first time Mr. Taliento's name

1 comes up.

2 MS. PAINTER: Okay. Okay, starting with "but"?

3 MR. FOLIO: Correct.

4 [Pause.]

5 MS. PAINTER: Okay.

6 MR. FOLIO: So does this look like the article, Ms.

7 Painter?

8 MS. PAINTER: Yes.

9 MR. FOLIO: So I just wanted to make sure you were  
10 aware of parts of this article. So in response to questions  
11 from the minority, and I don't want to misphrase, but the  
12 short of it was that the allegations of what was broadly  
13 defined as Ukrainian interference in the election was not  
14 true. But are you aware, and maybe I'll start back on page  
15 4, Will, if you could scroll up--

16 MR. SCHRAM: Joe, that did not accurately characterize  
17 the questions.

18 MR. FOLIO: Yeah, I apologize. I'll just--

19 MR. SCHRAM: If you want to--

20 MR. FOLIO: I'll just walk through the facts here and  
21 then the record can just [inaudible-audio difficulties].

22 MR. SCHRAM: Well, I'd like for you to correct your  
23 characterization of the question. I made no assertion. I  
24 only asked questions about Mr. Taliento's credibility.

25 MR. FOLIO: So on page 4, I'll start reading with that

1 paragraph, beginning "Manafort's work."

2 MS. PAINTER: That's not on--okay.

3 MR. FOLIO: So, Ms. Painter, just going to walk--

4 MS. PAINTER: Yeah. Stop.

5 MR. FOLIO: --you through a few paragraphs, and I'm  
6 just going to show that the allegations that Mr. Telizhenko  
7 raised about his contact with the DNC operative, Alexandra  
8 Chalupa, were actually admitted to by Ms. Shulyar herself.  
9 And I'll walk you through a couple of paragraphs and then  
10 ask you a question.

11 So that paragraph begins, "Manafort's work for  
12 Yanukovych caught the attention of a veteran Democratic  
13 operative named Alexandra Chalupa, who had worked in the  
14 White House Office of Public Liaison for the Clinton  
15 administration. Chalupa went on to work as a staffer, then  
16 as a consultant for the Democratic National Committee. The  
17 DNC paid her \$412,000 from 2004 to June 2016, according to  
18 the Federal Election Commission records."

19 Will, if you could please scroll down to page 5, the  
20 paragraph beginning "She said." Thank you.

21 "She"--Ms. Chalupa--"said that she shared her concern  
22 with Ukraine's Ambassador to the U.S., Valeriy Chaly, and  
23 one of his top aides, Oksana Shulyar, during a March 2016  
24 meeting at the Ukrainian Embassy. According to someone  
25 briefed on the meeting, Chaly said that Manafort was very

1 much on his radar and that he wasn't particularly concerned  
2 about the operative's ties to Trump since he didn't believe  
3 Trump stood much of a chance of winning the GOP nomination,  
4 let alone the presidency."

5       And moving to the second sentence of that next  
6 paragraph, "That all started to change just four days after  
7 Chalupa's meeting at the Embassy when it was reported that  
8 Trump had, in fact, hired Manafort, suggesting that Chalupa  
9 may have been onto something. She quickly found herself in  
10 high demand. The day after Manafort's hiring was revealed,  
11 she briefed the DNC's communications staff on Manafort,  
12 Trump, and their ties to Russia, according to an operative  
13 familiar with the situation. A former DNC staffer described  
14 the exchange as an 'informal conversation' saying briefing  
15 makes it sound way too formal, and adding, 'We're not  
16 directing or driving her work.' Yet the former DNC staffer  
17 and the operative familiar with the situation agreed, with  
18 the DNC's encouragement, Chalupa asked Embassy staff to try  
19 and arrange an interview in which Poroshenko might discuss  
20 Manafort's ties to Yanukovich."

21       Moving to the next paragraph, "Officials at the  
22 Ukrainian Embassy there became helpful in Chalupa's efforts,  
23 she said, explaining that she traded information and leads  
24 with them. 'If I asked a question, they would provide  
25 guidance, or if there was someone I needed to follow up

1 with.' But she stressed, 'There were no documents given,  
2 nothing like that.'"

3 So to be clear this is Ms. Chalupa herself, and a  
4 former employee of the DNC, admitting that she was knocking  
5 on the Embassy door of Ukraine asking for assistance at the  
6 time that Mr. Telizhenko was working there. Were you aware  
7 that these are admitted facts, Ms. Painter?

8 MR. SCHRAM: Joe, I think that you omitted the word  
9 "reportedly." This is not a court of law that these facts  
10 were admitted, which you've just described. I think you  
11 have to put the word "reportedly" into your question.

12 MR. FOLIO: I don't think--Ms. Painter were you aware  
13 of these facts that Ms. Chalupa was quoted as admitting to  
14 this conduct in the article that you reviewed in January of  
15 2017?

16 MS. PAINTER: All I know is what I read in the article,  
17 but I know nothing about the underlying facts.

18 MR. FOLIO: Okay.

19 MR. WITTMANN: Hi, Ms. Painter. I think earlier you  
20 said that you could go on for another 15 or so and then take  
21 a break. I think we're at that 15 mark, 15-minute mark.  
22 Would you like a break?

23 MS. PAINTER: No, that's fine. We can go on. If you  
24 would like to ask me some questions and maybe after that.

25 MR. WITTMANN: Sure. We're going to move on to the

1 next exhibit that we'll enter into the record as Exhibit No.  
2 4, Tab 29

3 [Painter Exhibit No. 4 was  
4 marked for identification.]

5 MR. WITTMANN: Ms. Painter, this is an email chain from  
6 May 2014. My question--and you can scroll down to the  
7 beginning of the email chain--and my question begins on--  
8 let's scroll back up a little. My question has to do with  
9 the email on Bates 9680. So we can scroll up, Ms. Painter,  
10 and just let us know.

11 MS. PAINTER: So are we starting with "Dear Dan"?

12 MR. WITTMANN: Yes.

13 MS. PAINTER: Okay. Can you go down a little bit then?  
14 Okay.

15 MR. WITTMANN: On May 15, 2014, you emailed Mr. Fried  
16 and requested to meet with him. You wrote that in addition  
17 to the topic of the meeting request you also have another  
18 project "I would like to discuss at your convenience on  
19 Ukraine." Based on the rest of the email chain, it appears  
20 that the meeting was scheduled between you and Mr. Fried on  
21 May 29, 2014. Did this meeting occur?

22 MS. PAINTER: I don't recall specifically if it was a  
23 meeting or a call, but it looks like it did, based on what  
24 the email says.

25 MR. WITTMANN: Okay. And what was the other project

1 that you wanted to discuss with Mr. Fried regarding Ukraine?

2 MS. PAINTER: I wanted to get Ambassador Fried's  
3 assessment of increased support for Ukraine, because they  
4 had been invaded and were requesting additional financial  
5 support from the U.S. Government.

6 MR. WITTMANN: And did this additional project or new  
7 project, did this have to do with a specific client?

8 MS. PAINTER: I was working in coordination with the  
9 Atlantic Council and a coalition of people, groups or  
10 whatever, mostly the Atlantic Council, to try to see what  
11 kind of support the Ukrainian government had.

12 MR. WITTMANN: We're going to move on to the next  
13 exhibit, which we'll mark as Exhibit No. 5, Tab 2, please,  
14 Will.

15 [Painter Exhibit No. 5 was  
16 marked for identification.]

17 MR. WITTMANN: Ms. Painter, this is the cover letter  
18 that Blue Star sent to the Committees in December of 2019.  
19 In this cover letter it mentions several meetings that Blue  
20 Star had regarding Burisma. Are you familiar with this  
21 cover letter?

22 MS. PAINTER: Well, I mean, I have read it, but if  
23 you're going to ask me some questions I'd like to point to  
24 where you're asking me questions.

25 MR. WITTMANN: Sure. Absolutely. The next question I

1 had is on page 2, which we can scroll to now, and just let  
2 us know when it appears on your screen.

3 MS. PAINTER: Okay. So just where do you want me to  
4 look?

5 MR. WITTMANN: Sure. Let's scroll down, please, Will,  
6 to the bottom of page 2, in the footnotes, and we're going  
7 to look at footnote number 3, please.

8 MS. PAINTER: Mm-hmm.

9 MR. WITTMANN: This footnote is in reference to a  
10 meeting on December 14, 2015, with Mr. William Laitinen, the  
11 Economic Counselor at the Embassy, the U.S. Embassy in Kiev.  
12 The cover letter noted that the meeting had not been  
13 scheduled to discuss Burisma "as we had several other  
14 corporate clients interested in Ukraine's economic  
15 situation. To be fully transparent, we disclosed that we  
16 were working with Burisma and inquired to his views of the  
17 company."

18 How did you obtain this meeting with Mr. Laitinen?

19 MS. PAINTER: Oh, you know, I don't recall  
20 specifically, but typically we would have just made an email  
21 meeting request and see if we got the meeting.

22 MR. WITTMANN: Would you email directly to Mr. Laitinen  
23 or his staff?

24 MS. PAINTER: If we did do that, you would have the  
25 documents. We would have turned those over.

1 MR. WITTMANN: If the meeting was not originally  
2 scheduled to discuss Burisma, why did you disclose that you  
3 were working--that you were also doing work on behalf of  
4 that company?

5 MS. PAINTER: I mean, it states it in the letter. We  
6 always try to be fully transparent, and we wanted to, you  
7 know, disclose that we were also working with Burisma, as we  
8 do when we are in a foreign country working on different  
9 clients. That's our typical way we operate.

10 MR. WITTMANN: We're going to move on to the next  
11 exhibit that we'll mark as Exhibit 6. Tab 3, please, Will.

12 [Painter Exhibit No. 6 was  
13 marked for identification.]

14 MR. WITTMANN: This is an email chain between Mr. Pero  
15 Jolevski--and my apologies if I'm mispronouncing that--and  
16 Mr. Stephen Gonyea. And my question has to do with the  
17 first page of the document, so we can scroll down so you can  
18 see where it begins. Oh, let's scroll down to the first  
19 page, please, Will.

20 And, Ms. Painter, please just let us know when you'd  
21 like us to scroll up.

22 MS. PAINTER: Okay. Keep scrolling up. Stop. Okay.  
23 Keep going up. Okay. Okay, I read it.

24 MR. WITTMANN: Okay. On December 11, 2015, Mr.  
25 Jolevski wrote to Mr. Gonyea, as USAID official, about

1 scheduling a meeting with Mr. Laitinen, and Pero wrote,  
2 "Chip doesn't know anything about work with Burisma and they  
3 will probably not mention anything to him about it." Mr.  
4 Gonyea responded, "This would be a very bad move to not  
5 mention this. Burisma linkages, good and bad, as you know,  
6 have been a major news story and hugely politicized issue,  
7 especially during the recent visit. It's been used in  
8 attempts to criticize U.S. policy and embarrass the  
9 ambassador. Honesty would be the best policy, seriously."  
10 Pero wrote, "I totally understand but I think we are  
11 changing strategy."

12         Why would Blue Star not want to mention their work for  
13 Burisma initially in the meeting, as they prepared for the  
14 meeting with Mr. Laitinen?

15         MS. PAINTER: Well, I just told you that we did report  
16 it, and in this memo Pero Jolevski says, "I will leave it up  
17 to them on what they will talk about the Embassy." So he  
18 doesn't even know what we're going to do. But we stated  
19 categorically that we did mention it.

20         MR. WITTMANN: Do you know why Pero was under the  
21 impression initially that you all weren't going to mention  
22 Burisma?

23         MS. PAINTER: I do not, but he was incorrect, because  
24 we did.

25         MR. WITTMANN: Okay. During this meeting with Mr.

1 Laitinen, what was his awareness of Burisma?

2 MS. PAINTER: I don't recall.

3 MR. WITTMANN: Did he have any awareness of Burisma?

4 MS. PAINTER: I don't recall.

5 MR. WITTMANN: And what about Mr. Zlochevsky? Did he  
6 have any awareness of him?

7 MS. PAINTER: We were working with Burisma, so I'm  
8 sure, but I don't recall. We only disclosed that we were  
9 working with Burisma.

10 MR. WITTMANN: Did he have any reaction to that after  
11 you disclosed it to him?

12 MS. PAINTER: I don't recall.

13 MR. WITTMANN: Around the time period that you met with  
14 Mr. Laitinen, in early December 2015, Vice President Biden  
15 had just traveled to Ukraine. Did the Vice President's  
16 recent trip come up in the conversation with Mr. Laitinen?

17 MS. PAINTER: Not that I recall.

18 MR. WITTMANN: Okay. I'm going to turn it over to my  
19 colleague, Mr. Downey. But again, Ms. Painter, please let  
20 us know if you'd like a break.

21 MS. PAINTER: A five-minute break would be great.

22 MR. WITTMANN: Okay. Do you want to reconvene at  
23 12:33?

24 MS. PAINTER: That's fine.

25 MR. WITTMANN: Okay. Great.

1 [Recess.]

2 MR. DOWNEY: It is 12:35, and we'll go back on the  
3 record. I'm Brian Downey. I'm with Chairman Johnson's  
4 office.

5 Before the break, we were in the December 2015 time  
6 period where Blue Star Strategies was in-country in Ukraine  
7 and Mr. Wittmann asked you about whether Vice President  
8 Biden's speech to the Rada that occurred in the beginning of  
9 December 2015 came up in your meetings. You said that it  
10 did not come up in your meetings, but did you review or did  
11 you listen to Vice President Biden's speech to the Rada in  
12 December of 2015?

13 [Pause.]

14 MR. DOWNEY: Were you able to hear me, Ms. Painter?

15 MS. PAINTER: I did not listen to the speech.

16 MR. DOWNEY: So during that speech, Vice President  
17 Biden said, "Senior elected officials have to remove all  
18 conflicts between their business interests and their  
19 government responsibilities. Every other democracy in the  
20 world--that system pertains."

21 Was Hunter Biden on Burisma's Board in December of  
22 2015?

23 MS. PAINTER: Yes.

24 MR. DOWNEY: Does that statement by the Vice President  
25 comport to what was happening within his own family?

1 MS. PAINTER: I'm not speculating on that.

2 MR. DOWNEY: Do you have your own opinion about the  
3 fact that Hunter Biden served on Burisma's board while his  
4 father--

5 MS. PAINTER: I have no opinion.

6 MR. DOWNEY: --Vice President Biden, was the lead  
7 official for U.S.-Ukraine policy?

8 MS. PAINTER: I have no opinion.

9 MR. DOWNEY: We'll enter into the record what will be  
10 Exhibit 7, which is 48Q, Will.

11 [Painter Exhibit No. 7 was  
12 marked for identification.]

13 MR. DOWNEY: Scroll down, please.

14 So Exhibit 7 is Vice President Biden's speech to the  
15 Rada in Kyiv, Ukraine, in December of 2015. And if you  
16 could turn to page 5, Will? A little lower, please. Thank  
17 you. Right there.

18 So, Ms. Painter, if you could turn your attention to  
19 the paragraph that starts with, "As the Prime Minister and  
20 the President heard me often say..." This is where Vice  
21 President Biden said, "Senior elected officials have to  
22 remove all conflicts between their business interests and  
23 their government responsibilities. Every other democracy in  
24 the world--that system pertains."

25 Vice President Biden goes on to say, "Oligarchs and

1 non-oligarchs must play by the same rules. They have to pay  
2 their taxes, settle their disputes in court--not by bullying  
3 judges. That's basic. That's how nations succeed in the  
4 21st century."

5 Do you have any opinion on the oligarchs and non-  
6 oligarchs part of the Vice President's speech?

7 MS. PAINTER: No.

8 MR. DOWNEY: Do you know if Burisma had been paying  
9 their taxes in Ukraine?

10 MS. PAINTER: I do not know.

11 MR. DOWNEY: Do you know if--

12 MS. PAINTER: I do know that they were large--they paid  
13 a lot of taxes, but I don't know the details.

14 MR. DOWNEY: Do you know if they were under  
15 investigation by the Prosecutor General's office in Ukraine  
16 for not paying their taxes?

17 MS. PAINTER: I do not know.

18 MR. DOWNEY: Okay. Just a minute.

19 [Pause.]

20 MR. DOWNEY: I'm going to turn it back over to Mr.  
21 Wittmann. Thank you.

22 MR. WITTMANN: Hi, Ms. Painter. Can you hear me?

23 MS. PAINTER: Yes.

24 MR. WITTMANN: Okay. We're going to go back to Exhibit  
25 No. 5. Tab 2, please, Will. This is the cover letter that

1 we spoke about a little earlier. We're going to go to page  
2 2 of that cover letter. And my question has to do with the  
3 paragraph slightly above that, Will, that starts with, "Your  
4 letter asserts," and please just let me know when that's on  
5 your screen.

6 MS. PAINTER: Okay.

7 MR. WITTMANN: Let me know when you're ready, Ms.  
8 Painter.

9 [Pause.]

10 MS. PAINTER: I've read that paragraph.

11 MR. WITTMANN: Okay. This cover letter noted that you  
12 and Ms. Tramontano met with Amos Hochstein on December 10,  
13 2015. What was discussed at that meeting?

14 MS. PAINTER: We wanted to understand what Amos  
15 Hochstein's view was of Burisma.

16 MR. WITTMANN: The cover letter stated, "The initial  
17 meeting with Mr. Hochstein was to understand his and the  
18 State Department's position regarding an independent energy  
19 company, Burisma. At that meeting we learned Mr.  
20 Hochstein's view although it was not stated to be the State  
21 Department's view."

22 What was Mr. Hochstein's view of Burisma?

23 MS. PAINTER: It was negative.

24 MR. WITTMANN: In what way was it negative?

25 MS. PAINTER: I recall that it was negative, but he did

1 not say it was the view of the State Department.

2 MR. WITTMANN: Did he tell you that this was his  
3 personal view?

4 MS. PAINTER: He presented as if it--he had a negative  
5 view, but he didn't specifically state it was the State--his  
6 personal view. When asked if it was the view of the State  
7 Department, he declined. When we asked him if Ambassador  
8 Pyatt's view was the State Department view, he suggested  
9 that we ask Ambassador Pyatt, and he did not opine on that.

10 MR. WITTMANN: Did Mr. Hochstein specify any reason for  
11 why he held the negative perspective of Burisma?

12 MS. PAINTER: He did not.

13 MR. WITTMANN: Why did you want to meet with Mr.  
14 Hochstein?

15 MS. PAINTER: He was the energy czar and worked in  
16 Ukraine, and we thought he would probably have a view, and  
17 we were trying to find out if that view was the same as  
18 Pyatt's and if that view was the same as the State  
19 Department or the U.S. Government's view.

20 MR. WITTMANN: Did you or Ms. Painter try to convince  
21 Mr. Hochstein to change his perspective on Burisma?

22 MS. PAINTER: My name is Painter. We were not trying  
23 to convince Mr. Hochstein of anything. We were trying to  
24 understand what his position was and what the State  
25 Department's position was on Burisma.

1 MR. WITTMANN: Did you discuss Mr. Zlochevsky at this  
2 meeting?

3 MS. PAINTER: Not that I recall.

4 MR. WITTMANN: Did Mr. Hochstein provide you any advice  
5 regarding Burisma?

6 MS. PAINTER: He suggested that we meet with Ambassador  
7 Pyatt to talk to him firsthand about his views.

8 MR. WITTMANN: Did you meet with Ambassador Pyatt?

9 MS. PAINTER: I think we've reported--I've reported  
10 that, yes.

11 MR. WITTMANN: Did Mr. Hochstein play any role in  
12 helping you obtain that meeting?

13 MS. PAINTER: At the meeting Mr. Hochstein offered to  
14 help us get the meeting. I don't remember if that, in fact,  
15 was helpful or not. But we eventually did get the meeting.

16 MR. WITTMANN: Why did Mr. Hochstein make that offer to  
17 you?

18 MS. PAINTER: I think that was professional courtesy.

19 MR. WITTMANN: Did he offer to help you meet with any  
20 other U.S. official?

21 MS. PAINTER: Not that I recall. He was very focused  
22 on us meeting Ambassador Pyatt and hearing from him  
23 directly.

24 MR. WITTMANN: Why do you think it was important to  
25 meet with Ambassador Pyatt?

1 MS. PAINTER: Because Ambassador Pyatt had made public-  
2 -disparaging comments publicly, and we wanted to understand  
3 if that was his personal view or if that was the view of the  
4 State Department.

5 MR. WITTMANN: At the time you met with Mr. Hochstein,  
6 was he aware of Hunter Biden's role on Burisma's board?

7 MS. PAINTER: I don't recall, but I would assume so.

8 MR. WITTMANN: Why would you assume so?

9 MS. PAINTER: Because he knew the company.

10 MR. WITTMANN: And he knew--it was your understanding  
11 that he knew the board members of the company?

12 MS. PAINTER: No, but he was the energy czar, and this  
13 was the second largest energy company in the country. So I  
14 would assume that he was aware. But I don't recall that the  
15 discussion came up.

16 MR. WITTMANN: Did you think at the time that he was  
17 aware that Mr. Archer was also on the board of Burisma?

18 MS. PAINTER: I don't recall.

19 MR. WITTMANN: One moment, please.

20 [Pause.]

21 MR. WITTMANN: I want to turn to another part of the  
22 same cover letter, Ms. Painter. It's actually in the  
23 footnote at the bottom of page 2 regarding the meeting with  
24 USAID Representative Mr. Gonyea. The cover letter noted  
25 that USAID had made a decision to decline Burisma's offer of

1 assistance during a gas shortage. What did Burisma offer  
2 USAID?

3 MS. PAINTER: What are you referencing right now?  
4 Because I don't see anything that's referencing this letter.

5 MR. WITTMANN: Sure, sure. It's the footnote number 3,  
6 and let me know if this isn't on your screen. It's the very  
7 last sentence in footnote 3.

8 MS. PAINTER: Okay. I'm sorry. What's your question?

9 MR. WITTMANN: What did Burisma offer USAID?

10 MS. PAINTER: I don't recall.

11 MR. WITTMANN: How were you made aware of USAID's  
12 decision to decline Burisma's offer of assistance?

13 MS. PAINTER: I believe that Burisma told us that they  
14 had been declined.

15 MR. WITTMANN: Did Burisma ever provide assistance to  
16 or cooperate with USAID?

17 MS. PAINTER: My understanding is there was some  
18 relationship prior to our working with Burisma, but I don't  
19 know what it is--or what it was, really.

20 MR. WITTMANN: And how were you made aware of that?

21 MS. PAINTER: Burisma had suggested that they had a  
22 relationship and that it had ended.

23 MR. WITTMANN: And when did they make you aware of  
24 this?

25 MS. PAINTER: I don't recall, but we clearly were aware

1 of it by the time we were going to Ukraine.

2 MR. WITTMANN: So they had--just so I understand,  
3 Burisma had a previous relationship with USAID, and then  
4 that relationship ended, and then there was another offer to  
5 assist, and that assistance was declined. Is that correct?

6 MS. PAINTER: I'm not clear on whether there was a  
7 second offer.

8 MR. WITTMANN: I understand. So the reference to the  
9 decision to decline the company's assistance is a reference  
10 to assistance that Burisma once had with USAID?

11 MS. PAINTER: I don't recall.

12 MR. WITTMANN: Did Burisma offer any information to you  
13 about when they had cooperation between the company and  
14 USAID?

15 MS. PAINTER: I only know that it was--it started and  
16 ended before we met the company.

17 MR. WITTMANN: Started and ended before November 2015.  
18 Is that correct?

19 MS. PAINTER: That's correct.

20 MR. WITTMANN: How did you obtain the meeting with Mr.  
21 Gonyea?

22 MS. PAINTER: I believe we sent an email asking for a  
23 meeting, either to him or to his assistant. It's pronounced  
24 "gon-yay."

25 MR. WITTMANN: "Gon-yay." I'm sorry. Thank you.

1           What was Mr. Gonyea's awareness of Burisma?

2           MS. PAINTER: I don't recall. I mean, he knew about--  
3 he knew about the company. But I don't recall his exact  
4 knowledge. He knew--I believe he did know about the  
5 company.

6           MR. WITTMANN: Did he have awareness that USAID had  
7 declined Burisma's offer of assistance?

8           MS. PAINTER: One of the questions we asked was why did  
9 they end the relationship, and he did not provide any  
10 guidance.

11          MR. WITTMANN: Did Mr. Gonyea have any awareness of Mr.  
12 Zlochevsky?

13          MS. PAINTER: I don't recall.

14          MR. WITTMANN: Was Mr. Gonyea aware of Hunter Biden's  
15 role on Burisma's board?

16          MS. PAINTER: I don't recall.

17          MR. WITTMANN: I want to stay on this document but turn  
18 to the next page. So we'll scroll down to the top, at the  
19 very top, Ms. Painter, referencing the meeting with  
20 Ambassador Pyatt on December 16, 2015. Who attended this  
21 meeting?

22          MS. PAINTER: Ms. Tramontano and I attended the  
23 December 16th meeting.

24          MR. WITTMANN: And did anyone else from the embassy  
25 attend besides the ambassador?

1 MS. PAINTER: I don't recall.

2 MR. WITTMANN: And what was discussed at this meeting?

3 MS. PAINTER: We discussed a variety of issues because  
4 we had a number of clients that were active in Ukraine at  
5 the time, and then we asked Ambassador Pyatt his view on  
6 Burisma.

7 MR. WITTMANN: And did he share that view with you?

8 MS. PAINTER: We asked him the basis of this review,  
9 and he declined to comment.

10 MR. WITTMANN: He declined to comment about the basis  
11 for his view?

12 MS. PAINTER: Correct.

13 MR. WITTMANN: Did he discuss his view with you?

14 MS. PAINTER: He declined to comment.

15 MR. WITTMANN: Did you or Ms. Tramontano share your  
16 perspective of Burisma with the ambassador?

17 MS. PAINTER: We did not.

18 MR. WITTMANN: When you left the meeting with the  
19 ambassador, what was your understanding of the State  
20 Department's position regarding Burisma?

21 MS. PAINTER: We had no more clarity because he  
22 declined to comment.

23 MR. WITTMANN: Why was it your understanding that the  
24 position of the ambassador and Mr. Hochstein was not or  
25 different from the position of the State Department?

1 MS. PAINTER: In regards to Ambassador Pyatt, he  
2 wouldn't engage on the discussion with us. So we did not  
3 have any--we only knew what had been reported in the press,  
4 and he was negative.

5 As it related to Mr. Hochstein, he gave us the general  
6 impression that he was negative, but he did not give us--he  
7 did not answer that that was the position of the Department  
8 of State or the U.S. Government.

9 MR. WITTMANN: Did you think that it was odd that he  
10 wouldn't tell you whether or not his position was that of  
11 the State Department or of the government?

12 MS. PAINTER: I can't opine on that. I mean, we were  
13 trying to understand it, and we did not get any  
14 clarification.

15 MR. WITTMANN: In your meeting with the ambassador, did  
16 you or he specifically reference when he made the public  
17 comments regarding Burisma?

18 MS. PAINTER: Not that I recall.

19 MR. WITTMANN: At this meeting, did you discuss Mr.  
20 Zlochevsky?

21 MS. PAINTER: We had asked Ambassador Pyatt his view on  
22 Burisma, and he declined to comment.

23 MR. WITTMANN: Burisma the company, but did you ask him  
24 or discuss anything regarding Mr. Zlochevsky?

25 MS. PAINTER: No.

1 MR. WITTMANN: Did you discuss Vice President Biden's  
2 recent trip to Ukraine?

3 MS. PAINTER: Not that I recall.

4 MR. WITTMANN: Was Ambassador Pyatt aware of Hunter  
5 Biden's role on Burisma's board?

6 MS. PAINTER: That wasn't discussed.

7 MR. WITTMANN: Did you discuss Ukraine's Prosecutor  
8 General's office with the ambassador?

9 MS. PAINTER: We did not.

10 MR. WITTMANN: Following your meeting with Mr.  
11 Hochstein, you mentioned that he assisted you in obtaining  
12 the meeting with Ambassador Pyatt, correct?

13 MS. PAINTER: No. In our meeting, he suggested that we  
14 should meet with Ambassador Pyatt, and he offered  
15 assistance. But I'm unclear as to whether or not he  
16 actually did or not, but we did get the meeting.

17 MR. WITTMANN: Understand. Understood. Did the  
18 ambassador offer anything following this meeting or at the  
19 meeting?

20 MS. PAINTER: Not that I recall.

21 MR. WITTMANN: Did he make any suggestions to you or  
22 Ms. Tramontano about any other U.S. official that you should  
23 speak to on this issue?

24 MS. PAINTER: He did not.

25 MR. WITTMANN: I think at this time, we've--okay. I'm

1 going to turn it over to my colleague, Mr. Downey.

2 MR. DOWNEY: Hi, Ms. Painter.

3 So we're going through the meetings that Blue Star had  
4 with U.S. government officials. Did Blue Star or Burisma  
5 ever meet with Department of Justice?

6 MS. PAINTER: I'm sorry. What was the question?

7 MR. DOWNEY: Did Burisma or Blue Star ever seek  
8 meetings or meet with the U.S. Department of Justice?

9 MS. PAINTER: Blue Star never sought meetings with the  
10 Department of Justice.

11 MR. DOWNEY: Why not?

12 MS. PAINTER: Because that wasn't our assignment. We  
13 don't deal with the Department of Justice.

14 MR. DOWNEY: But at this time in December of 2015, with  
15 you guys trying to find out what the State Department's  
16 position is in regards to Burisma, was there any other  
17 strategy of going to other U.S. government agencies to try  
18 to figure out what's going on? You have the Ambassador  
19 Pyatt declining to comment on Burisma. You have a negative  
20 view by Mr. Hochstein in Washington. What was Blue Star  
21 thinking at this time in December 2015? What were you going  
22 to do to figure this out?

23 MR. KADZIK: I think that question--it was a rambling.  
24 I don't know where you ended up. So you want to ask a  
25 direct question?

1 MR. DOWNEY: So in December 2015, Blue Star still does  
2 not know what the U.S. State Department's position is in  
3 regards to Burisma, correct?

4 MS. PAINTER: That's correct.

5 MR. DOWNEY: Did you take that back to Burisma?

6 MS. PAINTER: I mean, eventually, we shared with them  
7 that we had no more clarity on what Department of State of  
8 the U.S. government's view was on the company.

9 MR. DOWNEY: And what was Burisma's reaction to that?

10 MS. PAINTER: I don't recall.

11 MR. DOWNEY: You don't recall what Burisma's reaction  
12 was?

13 MS. PAINTER: No, I don't recall.

14 MR. DOWNEY: But they hired Blue Star to figure out  
15 what the State Department's view is in regards to Burisma,  
16 correct?

17 MS. PAINTER: That's correct.

18 MR. DOWNEY: And the answer you provided them in  
19 December of 2015 was you were still working to figure that  
20 out?

21 MS. PAINTER: At the end of December 2015, we were no  
22 closer to understanding it.

23 MR. DOWNEY: Did you or Ms. Tramontano think it was odd  
24 that you could not get any clarity from the Department of  
25 State?

1 MS. PAINTER: No.

2 MR. DOWNEY: Why not?

3 MS. PAINTER: I can't--we didn't--I don't think we  
4 thought about it in that regard. I don't know.

5 MR. DOWNEY: So in December 2015, did you have to go  
6 back to the drawing board of how to figure out what the  
7 State Department's view of Burisma was? Because you've gone  
8 to the head official in-country in Ukraine. You've gone to  
9 the energy czar at the State Department, and you're  
10 reporting back to Burisma that you do not know what the  
11 State Department's view of Burisma is.

12 MS. PAINTER: At this moment in time, we had only been  
13 under retainer for less than a month, and so we had lots  
14 more to look into.

15 MR. DOWNEY: Yes. And we'll get into that.

16 I think it's 1:05. How about a lunch break?

17 MR. SCHRAM: Yeah. Let's take a lunch break.

18 MR. DOWNEY: It's 1:06, and we're off the record.

19 [Whereupon, at 1:06 p.m., the interview was recessed,  
20 to reconvene at 1:35 p.m., this same day.]

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1 AFTERNOON SESSION

2 [1:43 p.m.]

3 MR. SCHRAM: Let's go on the record. Ms. Painter, at  
4 the beginning of the last round of questions the majority  
5 framed statements made by Alexandra Chalupa, reported in a  
6 January 2017 Politico article as admissions of fact. Are  
7 you aware that Ms. Chalupa called the Politico article cited  
8 by the majority, quote, "nonsense"?

9 MS. PAINTER: I'm not.

10 MR. SCHRAM: Incredibly, the majority used Mr.  
11 Telizhenko's claims that Ukraine interfered in the 2016  
12 election in an effort to rehabilitate his credibility. Are  
13 you aware that Dr. Fiona Hill, who President Trump appointed  
14 as Deputy Assistant to the President and Senior Director for  
15 European and Russian Affairs on his National Security  
16 Council staff testified before the House Intelligence  
17 Committee on November 21, 2019, that, quote, "Some of you on  
18 this Committee appear to believe that Russia and its  
19 security services did not conduct [inaudible-audio  
20 difficulties] against our country and that perhaps somehow,  
21 for some reason, Ukraine did. This is a fictional narrative  
22 that has been perpetrated and propagated by the Russian  
23 security services."

24 MS. PAINTER: I'm aware of that, yes.

25 MR. SCHRAM: Are you aware that she further testified

1 that, quote, "The result of all of these narratives is  
2 exactly what the Russian government was hoping to  
3 [inaudible-audio difficulties.]"?

4 MS. PAINTER: Yes.

5 MR. SCHRAM: On August 18, 2020, the Senate  
6 Intelligence Committee released its report and bipartisan  
7 findings on Russia active measures, campaigns, and  
8 interference in the 2016 U.S. election. The report states,  
9 quote, "The Committee observed numerous Russian government  
10 actors from late 2016 until at least January of 2020,  
11 consistently spreading overlapping false narratives which  
12 sought to discredit investigations into Russian interference  
13 in the 2016 U.S. elections, and spread false information  
14 about the events of 2016. As part of these efforts,  
15 Manafort and Kilimnik both sought to promote the narrative  
16 that Ukraine, not Russia, interfered in the 2016 U.S.  
17 election."

18 Ms. Painter, do you think that Mr. Telizhenko's support  
19 for the theory that Ukraine interfered in the 2016 election  
20 bolsters or diminishes his credibility?

21 MS. PAINTER: Excuse me. Whose credibility?

22 MR. SCHRAM: I'll repeat the question. Do you think  
23 that Mr. Telizhenko's support for the theory that Ukraine  
24 interfered in the 2016 election bolsters or diminishes Mr.  
25 Telizhenko's credibility?

1 MS. PAINTER: Diminishes his credibility.

2 MR. SCHRAM: Why?

3 MS. PAINTER: It's my understanding that that is  
4 unfounded and it's buying into Russian conspiracy theories.

5 MR. SCHRAM: Do you think the Senate should advance a,  
6 quote, "fictional narrative that has been perpetrated and  
7 propagated by the Russian security services"?

8 MS. PAINTER: I do not.

9 MR. SCHRAM: Ms. Painter, did Blue Star continue to  
10 represent Burisma during the Trump administration?

11 MS. PAINTER: Yes, we did.

12 MR. SCHRAM: Was Blue Star successful in securing  
13 meetings during the Trump administration?

14 MS. PAINTER: Yes, we were.

15 MR. SCHRAM: Did any Trump administration officials  
16 speak at conferences sponsored by Blue Star?

17 MS. PAINTER: The conferences were sponsored or  
18 organized by the Atlantic Council, and yes, a senior  
19 official from the Trump administration participated.

20 MR. SCHRAM: And how did he come to participate?

21 MS. PAINTER: He contacted both our office and  
22 Burisma's office to see if he could attend.

23 MR. SCHRAM: Did Obama administration officials ever  
24 attend the conference in Monaco?

25 MS. PAINTER: They were never asked and they did not

1 attend, so no one ever attended from the Obama  
2 administration.

3 MR. SCHRAM: Nothing further.

4 MR. GOSHORN: This is Dan Goshorn with Senator Wyden's  
5 staff. To be clear on the conference in Monaco, you said it  
6 was organized by the Atlantic Council. Is that correct?

7 MS. PAINTER: It was organized by--the Atlantic Council  
8 as well as Burisma were both sponsors.

9 MR. GOSHORN: Okay. Thank you for clarifying that.  
10 Nothing further from me.

11 MR. FOLIO: Hi, Ms. Painter. This is Joe Folio. I  
12 just want to take a minute to clarify, for the record, and  
13 also for your awareness, that the investigation by Chairman  
14 Johnson and Chairman Grassley speaks nothing about Ukrainian  
15 interference in the 2016 election in any way that is being  
16 characterized by the minority, and the only investigative  
17 efforts that we are focused on that issue, as reflected in  
18 the Chairmen's letter that the minority posted as an  
19 exhibit, as well as in the Politico article, was the fact  
20 that is undisputed, that a DNC operative by the name of  
21 Alexandra Chalupa was knocking on the door of the Ukrainian  
22 embassy asking for help in 2016.

23 And I appreciate those are embarrassing facts and you  
24 might want to distance yourself from them, but those are the  
25 only facts that Chairman Johnson and Chairman Grassley have

1 focused on, and they are undisputed. That article includes  
2 quotes from Ms. Chalupa, and I don't see what the minority  
3 put in the record but may be referring to an article in  
4 which she realized that her admissions probably weren't in  
5 her best interest or the party's best interest and she tried  
6 to walk them back, but she has not retracted them.

7 MR. SCHRAM: Joe, I appreciate your extensive testimony  
8 on this matter. Is it your assertion that reported quotes  
9 for a person in an article are admissions for the purpose of  
10 congressional investigations?

11 MR. FOLIO: I'm going to turn the question back over to  
12 Scott.

13 MR. SCHRAM: Is it also your testimony that the  
14 Chairman has not advanced the theory or used as a basis of  
15 their letters, the theory that Ukraine interfered in the  
16 2016 election? Is that your testimony?

17 MR. FOLIO: Zack, to be clear, I'm not testifying  
18 today. I was clarifying for the record your misreading of  
19 Chairman Johnson and Chairman Grassley's letter. Again, the  
20 focus, as you have demonstrated by posting the December 6  
21 press release, was the focus on the fact that a DNC  
22 operative by the name of Alexandra Chalupa was seeking  
23 foreign assistance in the 2016 election. That is an  
24 undisputed fact, and that was the full scope and extent of  
25 the Chairmen's inquiry, no matter how much you want to tie

1 it to other theories.

2 MR. SCHRAM: So, Mr. Folio, are you aware that--

3 MR. FOLIO: And I will now ask Scott--

4 MR. SCHRAM: --the letter that you're referring to--

5 MR. FOLIO: --to continue the questioning.

6 MR. SCHRAM: --asks--are you investigating links and  
7 coordination between the Ukraine government and the  
8 individuals associated with the campaign of Hillary Clinton,  
9 that that's in the letter that we've introduced, in the  
10 contents of the letter?

11 MR. WITTMANN: Ms. Painter, we're going to continue.  
12 Ms. Painter, we are going to move on to our next exhibit,  
13 which we will mark as Exhibit 8.

14 [Painter Exhibit No. 8 was  
15 marked for identification.]

16 MR. SCHRAM: I would just recognize--

17 MR. WITTMANN: Will, please.

18 MR. SCHRAM: --Scott, I won't interrupt you and Joe.  
19 I'll just say we shouldn't be using this as an opportunity  
20 to introduce testimony, and that's what you were doing. It  
21 was not a clarification. It was an introduction of  
22 testimony.

23 MR. WITTMANN: Ms. Painter, Ms. Painter, can you hear  
24 me. We're going to put this document up, and let us know  
25 when it's on your screen.

1 MS. PAINTER: This is the Novelli.

2 MR. WITTMANN: That's correct, and Will, if you could  
3 please scroll down to the bottom, the first email on this  
4 page.

5 Ms. Painter, I'm going to ask you a question about this  
6 email, so just let me know when you're ready for me to  
7 proceed.

8 MS. PAINTER: Okay.

9 MR. WITTMANN: On February 18, 2016, Ms. Tramontano  
10 emailed Under Secretary Catherine Novelli a request for a  
11 meeting. She wrote that, "Blue Star wanted to discuss a  
12 matter on which I need your advice." She added,  
13 "Essentially, the U.S. Government has taken a position in a  
14 commercial matter regarding a Ukrainian individual, and I  
15 believe the position is in error."

16 Were you aware of Ms. Tramontano emailing this request  
17 to Under Secretary Novelli?

18 MS. PAINTER: I was not involved in this meeting. I'm  
19 now reading it here, as you sent me the note.

20 MR. WITTMANN: Sure. You were not aware that Ms.  
21 Tramontano wanted to meet with Under Secretary Novelli at  
22 this time?

23 MS. PAINTER: I was not aware of this email. I'm  
24 reading it now.

25 MR. WITTMANN: Okay. Do you know what Ms. Tramontano

1 was referring to in this email regarding a matter that she  
2 needed Under Secretary Novelli's advice?

3 MS. PAINTER: I would rather not speculate. I think  
4 you need to speak to Ms. Tramontano.

5 MR. WITTMANN: Okay. Do you know what Ms. Tramontano  
6 was referring to when she wrote that the "U.S. Government  
7 has taken a position in a commercial matter regarding a  
8 Ukrainian individual"?

9 MS. PAINTER: I'm not comfortable speculating.

10 MR. WITTMANN: She said that that position is in error.  
11 Do you know what position Ms. Tramontano is referring to in  
12 this email?

13 MS. PAINTER: I do not.

14 MR. WITTMANN: Do you know why, at this time, Ms.  
15 Tramontano was seeking to meet with Under Secretary Novelli?

16 MS. PAINTER: No.

17 MR. WITTMANN: Did Burisma request Blue Star to meet  
18 with Under Secretary Novelli?

19 MS. PAINTER: I have no idea.

20 MR. WITTMANN: At this time, what was Under Secretary  
21 Novelli's position in the State Department?

22 MS. PAINTER: I don't recall. I don't recall  
23 specifically. I know she was a high-ranking person.

24 MR. WITTMANN: Did you know Under Secretary Novelli?

25 MS. PAINTER: I met her a couple of times but I did not

1 know her. She wasn't a friend. I mean, she was someone who  
2 I knew of.

3 MR. WITTMANN: Do you know if Ms. Tramontano knew her,  
4 either personally or professionally?

5 MS. PAINTER: I believe that they worked together in  
6 government.

7 MR. WITTMANN: Under--for an administration?

8 MS. PAINTER: Under President Clinton's administration.

9 MR. WITTMANN: I want to go back to Exhibit No. 5.  
10 Page 2, please, Will. Ms. Painter, the question will be on  
11 the paragraph that starts with "The second incorrect  
12 assertion."

13 MS. PAINTER: Mm-hmm.

14 MR. WITTMANN: And please let me know when you're ready  
15 for me to proceed.

16 MS. PAINTER: Okay.

17 MR. WITTMANN: This cover letter acknowledged an  
18 internal State Department email about Ms. Tramontano's  
19 request to meet with Under Secretary Novelli. Did you have  
20 any conversations with individuals in the State Department  
21 about meeting with Under Secretary Novelli regarding  
22 Burisma?

23 MS. PAINTER: I did not.

24 MR. WITTMANN: Were you aware of whether Ms. Tramontano  
25 had those conversations at the time?

1 MS. PAINTER: I don't recall. I don't recall.

2 MR. WITTMANN: Did you meet with Ms. Novelli on March  
3 1, 2016?

4 MS. PAINTER: I did not.

5 MR. WITTMANN: Are you aware that Ms. Tramontano had  
6 met with Under Secretary Novelli on that date?

7 MS. PAINTER: I only know what I'm reading here, and it  
8 says that they met.

9 MR. WITTMANN: Did you have awareness at the time that  
10 they were meeting with Ms. Novelli?

11 MS. PAINTER: Not that I recall.

12 MR. WITTMANN: Was it common for Ms. Tramontano to take  
13 meetings regarding Burisma and brief you, and provide you a  
14 debrief afterwards?

15 MS. PAINTER: No, not necessarily.

16 MR. WITTMANN: Other than what's written in this cover  
17 letter, do you have any other insight regarding the meeting  
18 on March 1, 2016, between Ms. Tramontano and Ms. Novelli?

19 MS. PAINTER: I do not.

20 MR. WITTMANN: Okay. Do you know whether Blue Star  
21 received more information about the U.S. Government's  
22 position on Burisma following this March 1, 2016, meeting?

23 MS. PAINTER: March 16th or March 1st? Which meeting  
24 are you asking about?

25 MR. WITTMANN: This is March 1, 2016.

1 MS. PAINTER: And the question is?

2 MR. WITTMANN: Did Blue Star have any more information  
3 regarding the U.S. Government's position about Burisma at  
4 this point in time?

5 MS. PAINTER: I don't recall.

6 MR. WITTMANN: Other than what you had previously  
7 stated.

8 MS. PAINTER: I'm only stating what's on this letter.  
9 I mean, I'm reading it right now.

10 MR. WITTMANN: We're going to go to the next document,  
11 which we'll mark as Exhibit No. 9. Tab 5, please, Will.  
12 I'm sorry--Tab 6.

13 [Painter Exhibit No. 9 was  
14 marked for identification.]

15 MR. WITTMANN: Ms. Painter, we're going to scroll to  
16 the bottom of this document, and at the bottom you can see  
17 your name is listed. Scroll all the way to the bottom. And  
18 let us know when you see that on the screen.

19 MS. PAINTER: I see it.

20 MR. WITTMANN: Okay. And we'll scroll back up now so  
21 that you can see the meeting that's scheduled. I think it's  
22 the first meeting on the calendar that says "Call Devon on  
23 court case." And the date of this schedule is for March 8,  
24 2016.

25 Ms. Painter, did you have a call with Devon on a court

1 case on March 8, 2016?

2 MS. PAINTER: It looks like I did.

3 MR. WITTMANN: And who is Devon?

4 MS. PAINTER: Devon Archer.

5 MR. WITTMANN: And what was the court case you were  
6 scheduled to speak to Mr. Archer about?

7 MS. PAINTER: At the time I was working with Devon on a  
8 court case that was in Latvia.

9 MR. WITTMANN: And could you expand on that? What was  
10 the court case in reference to?

11 MS. PAINTER: There was a court case in the municipal  
12 courts on a wind project that the bank was engaged with.

13 MR. WITTMANN: And this is Novik [sic] Bank. Is that  
14 correct?

15 MS. PAINTER: Norvik.

16 MR. WITTMANN: Norvik Bank.

17 MS. PAINTER: Yes.

18 MR. WITTMANN: And at this point in time, was--well,  
19 let me back up. Was Norvik Bank a client of Blue Star's?

20 MS. PAINTER: Honestly, I don't recall, but I may have  
21 been getting a briefing on it. I don't recall when they  
22 became clients. I may have just been getting a briefing.

23 MR. WITTMANN: Okay. And just so I understand, did  
24 they eventually--did Norvik Bank become a client?

25 MS. PAINTER: Yes.

1 MR. WITTMANN: Okay.

2 MS. PAINTER: Yes.

3 MR. WITTMANN: And how often did you receive briefings  
4 from Mr. Archer about this specific court case?

5 MS. PAINTER: I don't recall.

6 MR. WITTMANN: Did Mr. Archer discuss Burisma on this  
7 call?

8 MS. PAINTER: He did not.

9 MR. WITTMANN: Okay. We're going to turn to the next  
10 document that we'll mark as Exhibit 10. Tab 8 please, Will.

11 [Painter Exhibit No. 10 was  
12 marked for identification.]

13 MR. WITTMANN: Scroll down please, Will.

14 MS. PAINTER: Can you just slow down? I'm looking for  
15 the date. What's the date on this?

16 MR. WITTMANN: Sure. Ms. Painter, this is--the date of  
17 the email that I'd like to ask you about is on March 15,  
18 2016. It's an email that you forwarded. We're happy to  
19 show you the entire document, but my question is only on the  
20 first page. Let us know if you'd like us to turn to that.

21 MS. PAINTER: Well, go to the first page then. Sure.

22 MR. WITTMANN: Okay. First page. And can you scroll  
23 down, Will?

24 On March 15, 2016, you sent an email that included a  
25 portion of Victoria Nuland's congressional testimony. You

1 instructed Pero to draft a note to Vadym at Burisma about  
2 this testimony.

3 MS. PAINTER: Mm-hmm.

4 MR. WITTMANN: At this time, Ms. Painter, what was Ms.  
5 Nuland's position in the State Department?

6 MS. PAINTER: So my question is, is the rest of this  
7 document basically a summary of what she said? Is that what  
8 the whole document is?

9 MR. WITTMANN: Yes, that's correct. I believe that the  
10 rest of the document actually contains the entire testimony,  
11 prepared remarks.

12 MS. PAINTER: Okay. Mm-hmm.

13 MR. WITTMANN: So the question is, at this time what  
14 was Ms. Nuland's position in the State Department?

15 MS. PAINTER: She was a senior person at State,  
16 focusing, I believe, on Europe.

17 MR. WITTMANN: Okay. And you may have addressed this  
18 already but just in case you didn't, could you tell us what  
19 position Vadym held at Burisma?

20 MS. PAINTER: I believe had the title of Advisor to the  
21 Board of Directors, or something like that.

22 MR. WITTMANN: Okay. And why did you instruct Pero to  
23 draft a note to Vadym?

24 MS. PAINTER: I mean, it was typical procedure that  
25 when a high-ranking person from the U.S. Government

1 addressed an issue in a country that we would pass on as an  
2 FYI the contents of that speech or testimony or whatever.  
3 It mean, we do that in many countries, and people care about  
4 what the U.S. says.

5 MR. WITTMANN: Mr. Downey referenced earlier a speech  
6 that Vice President Biden gave at the Rada in December of  
7 2015. Did you or anyone at Blue Star draft a note to Vadym  
8 about that speech?

9 MS. PAINTER: I don't recall.

10 MR. WITTMANN: What specifically did Ms. Nuland say  
11 that you wanted Vadym to be aware of?

12 MS. PAINTER: Nothing specific.

13 MR. WITTMANN: Did Pero draft a note to Vadym on Ms.  
14 Nuland's testimony?

15 MS. PAINTER: I don't recall. If he did, you would  
16 have a copy of it.

17 MR. WITTMANN: Okay. We're going to move on to what  
18 we'll mark as Exhibit 11. Tab 45, please.

19 [Painter Exhibit No. 11 was  
20 marked for identification.]

21 MR. WITTMANN: Ms. Painter, this email is dated July  
22 10, 2016, and it's an email that you forwarded to Vadym that  
23 contained an exit interview about Ambassador Pyatt that  
24 Ambassador Pyatt gave to the Kyiv Post. The rest of the  
25 email, we can scroll down. It just contains the article

1 that you forwarded to Vadym, and we're happy to scroll down  
2 if you would like to see the article.

3 MS. PAINTER: Okay.

4 MR. WITTMANN: And the--

5 MS. PAINTER: One moment.

6 MR. WITTMANN: Sure. My question is rather general.

7 So if you'd like to read the whole article, let us know.

8 Otherwise go ahead.

9 MS. PAINTER: Why don't you ask me the question, and  
10 then I'll decide if I need to read more.

11 MR. WITTMANN: Sounds good. Why did you forward this  
12 article to Vadym?

13 MS. PAINTER: It was an FYI. This was another example  
14 of a high-ranking U.S. official talking about Ukraine, and  
15 so we sent it as an FYI.

16 MR. WITTMANN: Was there anything specific in this  
17 article that you wanted Vadym to see?

18 MS. PAINTER: We wanted to highlight that the  
19 ambassador was exiting and he gave an interview, and we sent  
20 it along.

21 MR. WITTMANN: Did you have any conversations with  
22 Vadym outside of this email about the ambassador's exit?

23 MS. PAINTER: Not that I recall.

24 MR. WITTMANN: The article talks about the ambassador's  
25 perspective of Viktor Shokin. Were you aware of whether

1 Vadym had a view of Viktor Shokin?

2 MS. PAINTER: I was not.

3 MR. WITTMANN: Did you ever discuss Viktor Shokin with  
4 Vadym?

5 MS. PAINTER: I did not.

6 MR. WITTMANN: Did you discuss Viktor Shokin with any  
7 other employees of Burisma?

8 MS. PAINTER: I did not.

9 MR. WITTMANN: At this time, did Burisma see Ambassador  
10 Pyatt as an obstacle?

11 MS. PAINTER: Did they see Ambassador Pyatt as what?

12 MR. WITTMANN: As an obstacle.

13 MS. PAINTER: I don't have any idea.

14 MR. WITTMANN: Did you ever discuss Viktor Shokin with  
15 any members of Burisma's board?

16 MS. PAINTER: I did not.

17 MR. WITTMANN: I'm going to go back to Exhibit No. 5,  
18 and the paragraph that I want to bring your attention to is  
19 the paragraph that begins with "Your letter asserts." I  
20 have several questions.

21 MS. PAINTER: So I don't see that.

22 MR. WITTMANN: Let us know when you can see it, please.

23 MS. PAINTER: Oh, "Your letter asserts." Okay, yes.

24 MR. WITTMANN: The letter notes at the bottom of this  
25 paragraph that you met with Mr. Hochstein on March 24th,

1 2016.

2 MS. PAINTER: Yes.

3 MR. WITTMANN: And according to the letter, Mr. Buretta  
4 attended this meeting; is that correct?

5 MS. PAINTER: That sounds correct.

6 MR. WITTMANN: Did anyone else attend this meeting?

7 MS. PAINTER: No.

8 MR. WITTMANN: I'm sorry?

9 MS. PAINTER: No.

10 MR. WITTMANN: And what was the purpose of this  
11 meeting?

12 MS. PAINTER: When I had met with Mr. Hochstein the  
13 first time, he knew we were going to Kyiv, and he asked if  
14 we would come back and give him a briefing about our trip.

15 MR. WITTMANN: And did you provide that briefing to  
16 him?

17 MS. PAINTER: Yes. Well, we provided the summary of  
18 our meeting with Ambassador Pyatt.

19 MR. WITTMANN: And what was Mr. Hochstein's reaction to  
20 that summary?

21 MS. PAINTER: I don't recall. I don't recall.

22 MR. WITTMANN: The cover letter states that Mr. Buretta  
23 led this briefing. Did Mr. Buretta accompany you in the  
24 meeting with the ambassador?

25 MS. PAINTER: He did not.

1 MR. WITTMANN: Why did he lead the briefing about the  
2 meeting regarding the conversation with the ambassador if he  
3 didn't attend that meeting?

4 MS. PAINTER: Mr. Buretta wanted to attend the meeting,  
5 and there had been a lot of misinformation about a UK court  
6 care, and Mr. Buretta was expert on that. And we wanted to  
7 make sure that if--he wanted to make sure that if Mr.  
8 Hochstein had any questions, particularly about that case,  
9 that he would answer questions.

10 MR. WITTMANN: So is it fair to say that in addition to  
11 providing Mr. Hochstein a summary of the meeting with  
12 Ambassador Pyatt, Mr. Buretta also provided Mr. Hochstein a  
13 briefing on the UK court case?

14 MS. PAINTER: I think--yes, yes.

15 MR. WITTMANN: And what did the UK court case have to  
16 do with Burisma?

17 MS. PAINTER: The court case in the UK, there was a lot  
18 of swirl around that, that it was reported that it had to do  
19 with other cases that were pending with Burisma. So there  
20 was misinformation around the UK court case, and it was  
21 having an effect on how it was reported about other Burisma  
22 cases.

23 MR. WITTMANN: Did the UK court case relate to Mr.  
24 Zlochevsky?

25 MS. PAINTER: You know, I don't recall the case

1 material. I wasn't really involved in that, which is why  
2 Mr. Buretta handled that piece of it.

3 MR. WITTMANN: At the briefing with Mr. Hochstein that  
4 Mr. Buretta attended, in addition to discussions about  
5 Burisma, did you or Mr. Buretta also discuss Mr. Zlochevsky?

6 MS. PAINTER: Not that I recall.

7 MR. WITTMANN: Did you or Mr. Buretta mention Blue  
8 Star's meeting with Ms. Novelli on March 1st, 2016?

9 MS. PAINTER: Not that I recall.

10 MR. WITTMANN: At this meeting with Mr. Hochstein, had  
11 his view--was his view different--was his view on Burisma  
12 any different on March 24th, 2016, compared to the previous  
13 time that you had met with him?

14 MS. PAINTER: Not that I recall.

15 MR. WITTMANN: Was it your understanding that his view  
16 had not changed regarding Burisma?

17 MS. PAINTER: I don't think I asked him that question.

18 MR. WITTMANN: Just to be clear, you did not ask Mr.  
19 Hochstein whether or not--

20 MS. PAINTER: I don't believe I asked--I don't know if  
21 his view had changed because I don't think it was something  
22 I was trying to ascertain.

23 MR. WITTMANN: What were you trying to ascertain?

24 MS. PAINTER: I was trying to respond to his request  
25 that we provided a briefing from our meeting with Ambassador

1 Pyatt.

2 MR. WITTMANN: Why do you think Mr. Hochstein wanted  
3 Blue Star to provide this briefing?

4 MS. PAINTER: I think you should ask Mr. Hochstein.

5 MR. WITTMANN: Did you or Mr. Buretta discuss Ukraine's  
6 Prosecutor General's office with Mr. Hochstein at this  
7 meeting?

8 MS. PAINTER: Not that I recall.

9 MR. WITTMANN: Do you know whether at this point in  
10 time what Mr. Hochstein's awareness of Ukraine's Prosecutor  
11 General was at this time?

12 MS. PAINTER: I don't know that, no--or didn't know  
13 that then.

14 MR. WITTMANN: You met with Ambassador Pyatt in  
15 December of 2015, and you had your briefing with Mr.  
16 Hochstein in March of 2016. Why did it take so many months  
17 to provide Mr. Hochstein this briefing?

18 MS. PAINTER: I don't--I have--I don't--I don't recall.

19 MR. WITTMANN: Did Mr. Hochstein offer you anything  
20 during this meeting or following?

21 MS. PAINTER: No.

22 MR. WITTMANN: Did he have any other advice on who you  
23 or anyone else at Blue Star should reach out to regarding  
24 Burisma?

25 MS. PAINTER: No.

1 MR. WITTMANN: What was Mr. Hochstein's reaction to  
2 hearing about your meeting with the ambassador?

3 MS. PAINTER: I don't recall.

4 MR. WITTMANN: At this meeting with Mr. Hochstein, did  
5 you discuss Hunter Biden's role on Burisma's board?

6 MS. PAINTER: We did not.

7 MR. WITTMANN: I'm going to pause for one moment,  
8 please.

9 [Pause.]

10 MR. WITTMANN: I'm going to go to our next document  
11 that we'll introduce in the record at Exhibit No. 12.

12 Tab 10, please, Will.

13 [Painter Exhibit No. 12 was  
14 marked for identification.]

15 MR. WITTMANN: Scroll down, please, Will, to the next  
16 email. That's good.

17 Ms. Painter, on March 20th, 2016, Ms. Tramontano sent  
18 an email to you and your colleagues about Vadym's upcoming  
19 trip to Washington, D.C., on March 29th, 2016.

20 MS. PAINTER: Mm-hmm.

21 MR. WITTMANN: In this email--would you scroll down to  
22 the next page, please, Will. That's good.

23 In this email, Ms. Tramontano mentioned that Vadym  
24 would like to just stop by to see Hunter, no more than 30  
25 minutes, because he does not have an agenda. Why was Vadym

1 traveling to Washington?

2 MS. PAINTER: I believe this was--the U.S.-Ukrainian  
3 Business Council was holding a series of meetings, and  
4 President Poroshenko was going to be delivering an address.

5 MR. WITTMANN: Why did Vadym want to meet with Hunter  
6 Biden?

7 MS. PAINTER: I don't--I do not--I don't--I do not  
8 know.

9 MR. WITTMANN: How often did Vadym or other employees  
10 of Burisma meet with Hunter Biden?

11 MS. PAINTER: I don't know. Other employees as in--

12 MR. WITTMANN: I'm sorry. Other employees of Burisma.

13 MS. PAINTER: I don't know.

14 MR. WITTMANN: We'll continue to scroll down in this  
15 email, and at the bottom, Ms. Tramontano mentioned that on  
16 March 30th, 2016, the evening will be focusing on the pull-  
17 aside with President Poroshenko. Do you know what Ms.  
18 Tramontano meant by this?

19 MS. PAINTER: Yes. It means that you pull someone  
20 aside very briefly and say hello. Pull them aside.

21 MR. WITTMANN: Was it your understanding that Ms.  
22 Tramontano wanted to have a side conversation with President  
23 Poroshenko?

24 MS. PAINTER: No. It was me that wanted to say hello  
25 to the president.

1 MR. WITTMANN: And what did you want to discuss with  
2 the president?

3 MS. PAINTER: I wanted to congratulate him.

4 MR. WITTMANN: Congratulate him on?

5 MS. PAINTER: He had just given a great speech.

6 MR. WITTMANN: And did this conversation occur?

7 MS. PAINTER: Yes.

8 MR. WITTMANN: And did anyone else besides you and the  
9 president participate in this discussion--or conversation?

10 MS. PAINTER: Well, it was very, very brief. So no.  
11 It was me--and I had a very, very brief interchange with the  
12 president.

13 MR. WITTMANN: And could you describe that interchange,  
14 please?

15 MS. PAINTER: I congratulated the president on the  
16 speech and his presidency, and I told him that I would be  
17 going to Ukraine in the next month or so.

18 MR. WITTMANN: And did he say anything to you?

19 MS. PAINTER: He did. He said thank you very much, and  
20 he turned to his ambassador, Ambassador Chaly, and he said,  
21 "They're going to be going to Kyiv. Help them if they need  
22 any help with meetings."

23 MR. WITTMANN: Did you have a conversation with  
24 Ambassador Chaly?

25 MS. PAINTER: Not at that point in time, no.

1 TRACK 14

2 MR. WITTMANN: Did you reach out to Ambassador Chaly  
3 for help with meetings in Ukraine following this  
4 conversation?

5 MS. PAINTER: I did. I wrote an email, which you have.

6 MR. WITTMANN: And what did you ask Mr. Chaly?

7 MS. PAINTER: Well, it's all in the email. Do you have  
8 the email?

9 MR. WITTMANN: I'm sorry?

10 MS. PAINTER: It's on--it's spelled out in the email  
11 that we turned over to you. Do you have the email?

12 MR. WITTMANN: If you turned it over to us, then I'm  
13 sure we have it, but I just wanted to ask you if you wanted  
14 to expand on that.

15 MS. PAINTER: I don't specifically recall all the  
16 meetings. I think there were three or four meetings that we  
17 had said we were going to try to set up, but I can't recall  
18 them at this moment. But I'm happy to look at the email.

19 MR. WITTMANN: Okay. All right. Thank you.  
20 Appreciate it.

21 In this email that's on the screen, that final  
22 sentence, Ms. Tramontano wrote, "Let's begin to plan our  
23 trip to Kyiv leaving on the 5th. We still do not have the  
24 meeting with the general prosecutor. Let's get together to  
25 talk about how to get this done. It's a must-have for that



1 between Vadym and Hunter Biden?

2 MS. PAINTER: I actually do not know.

3 MR. WITTMANN: Okay. The person, the staffer that's  
4 listed on there, is Karen. I'm assuming that that's Karen  
5 Tramontano. Was it common for Blue Star staffers to attend  
6 meetings with Vadym and other individuals?

7 MS. PAINTER: No. This reference means that Karen had-  
8 -would be available if there were any issues, but we did not  
9 attend meetings that Vadym had with Hunter Biden. We never  
10 attended any of those meetings. They were separate and  
11 apart from us.

12 MR. WITTMANN: Did Vadym ever talk to you about  
13 meeting--or meetings with Hunter Biden?

14 MS. PAINTER: He did not.

15 MR. WITTMANN: Okay. I'd like to turn to our next  
16 document. We'll enter it into the record as Exhibit 14.  
17 Tab 13, please, Will.

18 [Painter Exhibit No. 14 was  
19 marked for identification.]

20 MR. WITTMANN: And we're going to go to the bottom of  
21 page four. Ms. Painter, this is a similar briefing book for  
22 Devon Archer, and you can see here on your screen that there  
23 is also a meeting with Hunter Biden scheduled, and the date  
24 of this--if we scroll up a little bit, Will, please--is  
25 March 31st. This is in 2016. Do you know if Hunter Biden--

1 I'm sorry. Do you know if Mr. Archer met with Mr. Biden?

2 MS. PAINTER: I do not know.

3 MR. WITTMANN: Do you know if this was the same meeting  
4 at the same time that Vadym was scheduled to meet with Mr.  
5 Biden?

6 MS. PAINTER: I'd have to go back and look to see at  
7 the other book. But if it was the same time, it could also  
8 just be an FYI. But I don't know.

9 MR. WITTMANN: And it would be an FYI for who?

10 MS. PAINTER: For Devon.

11 MR. WITTMANN: Why would he need an FYI?

12 MS. PAINTER: Devon Archer was on the board of Burisma,  
13 and he was also attending the reception.

14 MR. WITTMANN: Are you saying that there are entries in  
15 his briefing booklet that don't necessarily correspond to  
16 what his schedule is?

17 MS. PAINTER: It could be an FYI, yes. I'm not clear--  
18 I'm not definitive, but that could be the case, yes.

19 MR. WITTMANN: If it was an FYI, would there be any  
20 sort of indication in the briefing booklet that it was an  
21 FYI?

22 MS. PAINTER: No.

23 MR. WITTMANN: Okay. What role did Blue Star play in  
24 arranging or scheduling meetings between Vadym and Hunter  
25 Biden?

1 MS. PAINTER: That was strictly an administrative role  
2 to find a time that worked with both of their schedules.

3 MR. WITTMANN: Did Blue Star help schedule any other  
4 meetings with Vadym and other board members of Burisma? I'm  
5 sorry. Let me--let me just--let me rephrase that. Did Blue  
6 Star assist in scheduling any other meetings between Vadym  
7 and Burisma board members from the U.S.?

8 MS. PAINTER: Yes. We also arranged meetings with  
9 Cofer Black.

10 MR. WITTMANN: And who is Cofer Black?

11 MS. PAINTER: Cofer Black joined the Burisma board as a  
12 board member, and he's an American, former diplomat.

13 MR. WITTMANN: I'm going to pause for a moment. Thank  
14 you.

15 [Pause.]

16 MR. DOWNEY: Ms. Painter, can you hear me?

17 MS. PAINTER: Yes.

18 MR. DOWNEY: Okay. We're going to go to--this will be  
19 Exhibit 15, which is Tab 14, Will.

20 [Painter Exhibit No. 15 was  
21 marked for identification.]

22 MR. DOWNEY: Exhibit 15 is a March 22, 2016, email by  
23 Mr. Telizhenko to you and Ms. Tramontano commenting on your  
24 visit to the Ukraine Embassy and thanking you for your help.  
25 Is this the first time you received an email from Mr.

1 Telizhenko?

2 MS. PAINTER: I believe so because that was the first  
3 time we'd ever met him.

4 MR. DOWNEY: Who attended the March 22, 2016 meeting at  
5 the Ukraine Embassy?

6 MS. PAINTER: I believe it was Karen and me.

7 MR. DOWNEY: Did Mr. Telizhenko attend this meeting?

8 MS. PAINTER: Yes.

9 MR. DOWNEY: Was there any other individuals from the  
10 Ukraine Embassy in attendance?

11 MS. PAINTER: The DCM attended.

12 MR. DOWNEY: And who was the DCM?

13 MS. PAINTER: Oksana Shulyar.

14 MR. DOWNEY: Did you and Blue Star Strategies  
15 communicate with Ms. Shulyar after this March 22nd meeting?

16 MS. PAINTER: I don't recall. I mean, we may have sent  
17 a thank-you note or something. But you would have that if  
18 we did.

19 MR. DOWNEY: What was the purpose of this March 22,  
20 2016, meeting?

21 MS. PAINTER: We were asking the embassy support for  
22 meetings in Ukraine.

23 MR. DOWNEY: Did Mr. Telizhenko or Oksana Shulyar  
24 discuss meetings that they had with U.S. Government  
25 agencies?

1 MS. PAINTER: No.

2 MR. DOWNEY: In this same email chain--Will, if you  
3 could scroll up a little bit on the document? Thank you.  
4 Ms. Tramontano responded to Mr. Telizhenko, saying, "Sally  
5 and I will be in Kyiv April 6th, 7th, and 8th of 2016, the  
6 attorney from the U.S., John Buretta, who has reviewed the  
7 matter we discussed, and I would like to meet the general  
8 prosecutor on April 6th preferable in the afternoon."

9 Why did Ms. Tramontano email these details to Mr.  
10 Telizhenko about your trip to Ukraine?

11 MS. PAINTER: In our meeting, the embassy agreed to be  
12 helpful in getting meetings in Ukraine.

13 MR. DOWNEY: And was this based off your pull-aside  
14 with Ukrainian President Poroshenko and Mr.--

15 MS. PAINTER: This meeting happened before the pull-  
16 aside with the President.

17 MR. DOWNEY: Did Ambassador Chaly know that you had met  
18 with Oksana Shulyar on March 22nd before the pull-aside with  
19 President Poroshenko at the end of March 2016?

20 MS. PAINTER: I don't know.

21 MR. DOWNEY: Was Burisma aware of your meetings with  
22 the Ukrainian Embassy?

23 MS. PAINTER: I don't recall.

24 MR. DOWNEY: Is that something you would normally  
25 update Burisma on if you met with the Ukrainian Embassy in

1 Washington?

2 MS. PAINTER: I mean, I don't recall. We brief people  
3 when we think it's necessary.

4 MR. DOWNEY: Our hour's almost up. I'm going to turn  
5 it over to Chairman Grassley's staffer, Quinton, for a  
6 couple questions. Thank you.

7 MR. BRADY: Good afternoon, Ms. Painter. Can you hear  
8 me?

9 MS. PAINTER: Yes.

10 MR. BRADY: My name is Quinton Brady. I'm with  
11 Chairman Grassley's staff. I just have two quick questions  
12 for you today.

13 The first one: Did you, Karen Tramontano, or Blue Star  
14 Strategies ever seek or receive an advisory opinion from the  
15 Department of Justice regarding registering under the  
16 Foreign Agents Registration Act as it pertained to your  
17 firm's representation of Burisma?

18 MS. PAINTER: No.

19 MR. BRADY: Did you, Karen Tramontano, or Blue Star  
20 Strategies ever receive a FARA letter of inquiry from the  
21 Department of Justice as it pertains to your firm's  
22 representation of Burisma?

23 MS. PAINTER: No.

24 MR. BRADY: Great. Thank you so much. That's all from  
25 me. I'm going to turn it back. Thank you.

1 MR. WITTMANN: Hi, Ms. Painter. Can you hear me? Ms.  
2 Painter, can you hear me?

3 MS. PAINTER: Yes.

4 MR. WITTMANN: Okay. Just one more question in this  
5 round, and then we'll turn it over to the minority, and  
6 obviously, ask--if you need to take a break, just let us  
7 know.

8 We'll enter into the record Exhibit 16. Tab 22,  
9 please, Will.

10 [Painter Exhibit No. 16 was  
11 marked for identification.]

12 MR. WITTMANN: Scroll down, please, Will.

13 Ms. Painter, this is an email that you sent Mr. Fried  
14 on June 7, 2016. You thank Mr. Fried for taking time to  
15 listen. Do you know what this was in reference to, what you  
16 had discussed with Mr. Fried?

17 MS. PAINTER: Can I see the full chain? You're in the  
18 middle of it.

19 MR. WITTMANN: Sure.

20 MS. PAINTER: From the beginning?

21 MR. WITTMANN: This is--

22 MS. PAINTER: No, that's the end of it. Can I see the  
23 beginning, how it started? Is there anything below--

24 MR. WITTMANN: There is nothing other than just the  
25 standard language and I think an image.

1 MS. PAINTER: Okay. So the first email that I--is this  
2 "Dear Dan, Thank you for taking the time to listen."

3 MR. WITTMANN: That's correct.

4 MS. PAINTER: And can you go all the way to the top, or  
5 is this only one email?

6 MR. WITTMANN: Oh, there's a response and then I think  
7 another reply.

8 MS. PAINTER: Okay.

9 MR. WITTMANN: And the question is: What did you  
10 discuss with Mr. Fried?

11 MS. PAINTER: I had reached out to Ambassador Fried to  
12 discuss a matter as it related to George Kent.

13 MR. WITTMANN: And what was George Kent's position at  
14 this time?

15 MS. PAINTER: I believe he was the DCM in the U.S.  
16 Embassy in Ukraine.

17 MR. WITTMANN: And what was the matter that you wanted  
18 to discuss with the Ambassador regarding Mr. Kent?

19 MS. PAINTER: Mr. Kent had made false allegations about  
20 Blue Star, and I was trying to get Dan's view on the best  
21 way to handle it.

22 MR. WITTMANN: And what were the false allegations?

23 MS. PAINTER: He had asserted that Blue Star was  
24 representing individuals from Russia that we were not. He  
25 was--

1 MR. WITTMANN: Who did Mr. Kent allege this to?

2 MS. PAINTER: I don't know the exact individual, but it  
3 came to our attention through a client who was vetting the  
4 firm.

5 MR. WITTMANN: I'm sorry. A client who was vetting the  
6 firm?

7 MS. PAINTER: Right. We had a potential client who was  
8 doing a vet, and they reached out and were told this by  
9 Kent.

10 MR. WITTMANN: Understood.

11 Why did you seek Ambassador Fried's advice on this  
12 matter?

13 MS. PAINTER: Because when I tried to reach out to Kent  
14 to clear the record, Mr. Kent refused to do so and said he  
15 could say whatever he wanted.

16 MR. WITTMANN: And when did you reach out to Mr. Kent?

17 MS. PAINTER: I don't recall the exact time.

18 MR. WITTMANN: Would it have been before the date of  
19 this email, June 2016?

20 MS. PAINTER: Yeah. Yes--I don't recall, actually. It  
21 could have been after. I don't--I don't actually recall the  
22 sequence of events.

23 MR. WITTMANN: Well, if it was after this email, what--  
24 why--I'm a bit confused. You reached out to Ambassador  
25 Fried to discuss what you had heard about the allegations

1 Mr. Kent was making?

2 MS. PAINTER: I was trying to understand--I was trying  
3 to understand or get his guidance on how to handle a  
4 situation with somebody who was making false allegations and  
5 how best to deal with something like that.

6 MR. WITTMANN: What was--what kind of guidance did Mr.  
7 Fried provide?

8 MS. PAINTER: From this email, I believe he was trying  
9 to set up a time for me to talk directly to Kent.

10 MR. WITTMANN: Okay. And were you able to talk  
11 directly to Mr. Kent?

12 MS. PAINTER: I believe I was, yes.

13 MR. WITTMANN: The email chain shows that the  
14 ambassador provided you an email address that you said that  
15 you'd be able to reach--or email Mr. Kent on. In another  
16 document that you provided, it looks like you did email that  
17 address, and we're happy to put it up if you'd like to see  
18 that.

19 Did Mr. Kent--

20 MS. PAINTER: Okay.

21 MR. WITTMANN: Sure. We'll go to--we'll put it into  
22 the record as Exhibit 17.

23 Tab 23, please, Will.

24 [Painter Exhibit No. 17 was  
25 marked for identification.]

1 MR. WITTMANN: You can scroll down, please, Will.

2 Ms. Painter, this email shows a March 10th--or I'm  
3 sorry--June 10th, 2016, you emailed Mr. Kent, but on June  
4 13th, you wrote back to Ambassador Fried and said that you  
5 had not heard back from Mr. Kent. Were you able to connect  
6 with Mr. Kent on email eventually?

7 MS. PAINTER: I don't--I don't recall the sequence, but  
8 I know we didn't meet when he was in Washington.

9 MR. WITTMANN: Could you repeat that? I had trouble  
10 hearing you. You did meet or no?

11 MS. PAINTER: We did not.

12 MR. WITTMANN: You did not.

13 MS. PAINTER: We did not meet when he was in  
14 Washington.

15 MR. WITTMANN: Were you able to eventually connect with  
16 Mr. Kent?

17 MS. PAINTER: Yes.

18 MR. WITTMANN: And did you discuss this matter with  
19 him?

20 MS. PAINTER: I did.

21 MR. WITTMANN: And when did that discussion occur?

22 MS. PAINTER: I don't recall.

23 MR. WITTMANN: One last question before our time is up.  
24 We're going to go back to Exhibit 16.

25 Tab 22, Will.

1           In this email, Ms. Painter, you wrote Mr. Zlochevsky's  
2 name. Why did you send this information to Ambassador  
3 Fried?

4           MS. PAINTER: In the course of my discussion with  
5 Ambassador Fried, I had disclosed that I was working with  
6 Burisma, and Ambassador Fried asked me who the owner or  
7 chairperson of was Burisma because I was also talking about  
8 a person that Kent--George Kent had said was--that we were  
9 representing. We weren't. And so Dan asked, "Okay. Well,  
10 who were we representing, or who weren't we representing?  
11 Or who was--are you representing Burisma?" And he asked me  
12 his name, and he--I told him the name, and he said, "Just  
13 give me the spelling of it." And so I wrote back, and I  
14 gave him the spelling of Mr. Zlochevsky's name.

15           MR. WITTMANN: Why did you disclose to Ambassador Fried  
16 that Burisma was a client of Blue Star's?

17           MS. PAINTER: I was--I was trying to differentiate  
18 between a company that we did work for versus one we didn't  
19 work for.

20           MR. WITTMANN: Was the other company a Ukrainian  
21 company?

22           MS. PAINTER: It was--I believe it was a Russian  
23 individual. I don't recall who it was.

24           MR. WITTMANN: Why did you--why did you feel like there  
25 was a--that Burisma would--that you needed to disclose

1 Burisma in order to clear up that it wasn't the other  
2 company?

3 MS. PAINTER: I was trying to be fully transparent.

4 MR. WITTMANN: Did Ambassador Fried have any awareness  
5 of Burisma at this time?

6 MS. PAINTER: No.

7 MR. WITTMANN: Was he aware of its owner, Mr.  
8 Zlochevsky?

9 MS. PAINTER: We didn't have that conversation.

10 MR. WITTMANN: After you sent Ambassador Fried the  
11 name, Mr. Zlochevsky's name, do you know what, if anything,  
12 he did with this information?

13 MS. PAINTER: I do not.

14 MR. WITTMANN: What was the purpose of him having this  
15 information?

16 MS. PAINTER: I disclosed to him that I was working  
17 with a company, the company Burisma, and he asked me who the  
18 chairperson or the owner was. And I told him who it was,  
19 and he asked me to send him the spelling of the name.

20 MR. WITTMANN: Zack, I think our time is up. We're  
21 going to turn it over to you now.

22 MR. SCHRAM: Could we go off the record?

23 [Discussion off the record.]

24 MR. DOWNEY: All right. It's 3:17 and we're back on  
25 the record.

1 Ms. Painter, in the last round for Chairman Johnson we  
2 discussed the meetings that occurred with setting up Blue  
3 Star's travel to Ukraine in April of 2016. Did Blue Star  
4 meet with the acting Prosecutor General in April of 2016?

5 MS. PAINTER: Yes.

6 MR. DOWNEY: Did you attend that meeting?

7 MS. PAINTER: Yes.

8 MR. DOWNEY: Who else attended the meeting with the  
9 acting Prosecutor General?

10 MS. PAINTER: John Buretta and Karen Tramontano.

11 MR. DOWNEY: Was there anyone else that attended from  
12 the Ukrainian side?

13 MS. PAINTER: I believe there was an additional  
14 gentleman with the acting Prosecutor General.

15 MR. DOWNEY: And who was the acting Prosecutor General  
16 in April of 2016?

17 MS. PAINTER: Mr. Sevruk.

18 MR. DOWNEY: Can you provide detail of what was  
19 discussed at this meeting with Mr. Sevruk?

20 MS. PAINTER: We were looking to find out what Mr.  
21 Sevruk's position was on the pending cases against Burisma.

22 MR. DOWNEY: What did Mr. Sevruk respond to those  
23 questions?

24 MS. PAINTER: It was very unclear. His English wasn't  
25 good, and we had very poor translation, and we don't speak

1 Ukrainian.

2 MR. DOWNEY: Before this meeting with the acting  
3 Prosecutor General, did you--did Blue Star have any  
4 understanding of Mr. Sevruk's poor English skills?

5 MS. PAINTER: No.

6 MR. DOWNEY: So there was no effort to obtain a  
7 translator for the meeting?

8 MS. PAINTER: No.

9 MR. DOWNEY: What did you learn from this meeting with  
10 the acting Prosecutor General?

11 MS. PAINTER: Not much.

12 MR. DOWNEY: How long did the meeting last?

13 MS. PAINTER: I don't recall specifically but 20, 30  
14 minutes.

15 MR. DOWNEY: So would you describe this meeting as not  
16 helpful to determining what Burisma's standing was with the  
17 PGO's office?

18 MS. PAINTER: We didn't learn any new facts.

19 MR. DOWNEY: Were you surprised that you didn't learn  
20 anything more?

21 MS. PAINTER: I didn't have expectations to be happy or  
22 sad or surprised.

23 MR. DOWNEY: So at this point in April of 2016, Blue  
24 Star still doesn't have, I guess, an understanding of what  
25 the State Department's position is in regards to Burisma.

1 And you met with the acting Prosecutor General of Ukraine  
2 and did not get much detail on the cases against Burisma.  
3 What did you go and tell Burisma after this meeting?

4 MS. PAINTER: I don't recall.

5 MR. DOWNEY: Did you debrief Burisma after meeting the  
6 acting Prosecutor General?

7 MS. PAINTER: I don't recall.

8 MR. DOWNEY: Was it normal for you to brief a client  
9 after meeting with just, you know, Ukraine's Justice  
10 Department officials?

11 MS. PAINTER: Every client is unique. We treat every  
12 client uniquely.

13 MR. DOWNEY: Did you provide the little that you  
14 learned from the acting Prosecutor General, did you provide  
15 that information to anyone at the State Department?

16 MS. PAINTER: No.

17 MR. DOWNEY: Why not?

18 MS. PAINTER: I don't think there was much information  
19 to provide.

20 MR. DOWNEY: Okay. We're going to turn to Tab 21,  
21 Will, which will be Exhibit 18.

22 [Painter Exhibit No. 18 was  
23 marked for identification.]

24 MR. DOWNEY: Roy, can you pass the baton back to Will?  
25 Thank you.

1 MR. SCHRAM: Actually I think Roy just stepped out.

2 Roy, are you there? Okay. Never mind.

3 MR. DOWNEY: Tab 21. So Exhibit 18 is calendar entry  
4 of June 22, 2016, and if we scroll down, I believe this is  
5 Karen Tramontano's schedule. And I wanted to point your  
6 attention to the last entry on the calendar was "meeting  
7 with prosecutor." Do you see that, Ms. Painter?

8 MS. PAINTER: I do.

9 MR. DOWNEY: Did this meeting occur?

10 MS. PAINTER: I was not a part of that meeting.

11 MR. DOWNEY: In June of 2016, do you know who the  
12 Prosecutor General of Ukraine was?

13 MS. PAINTER: I think his name was Mr. Lutsenko.

14 MR. DOWNEY: Did Ms. Tramontano attend this meeting  
15 with Mr. Lutsenko?

16 MS. PAINTER: I didn't attend the meeting, so I'd  
17 rather not comment on a meeting that I didn't attend.

18 MR. DOWNEY: After the meeting, did Ms. Tramontano  
19 communicate with you about what was discussed?

20 MS. PAINTER: No.

21 MR. DOWNEY: One second.

22 [Pause.]

23 MR. DOWNEY: Is there a reason why Ms. Tramontano  
24 wouldn't debrief you on this meeting with the Prosecutor  
25 General of Ukraine?

1 MS. PAINTER: I don't--I can't answer a question that  
2 you're asking me to think about what Ms. Tramontano thinks.

3 MR. DOWNEY: This meeting with the Prosecutor General  
4 that Ms. Tramontano attended, do you understand [inaudible-  
5 audio difficulties] Burisma?

6 MS. PAINTER: I did not attend the meeting and I got no  
7 briefing.

8 MR. DOWNEY: Okay. We're going to go to Tab 27, which  
9 will be Exhibit 19.

10 [Painter Exhibit No. 19 was  
11 marked for identification.]

12 MR. DOWNEY: So Exhibit 19 is a June 27, 2016, email  
13 that Ms. Painter sent to a redacted individual, subject  
14 line, "Coffee with Tony." And in the email you wrote, "Per  
15 my conversation with Tony at the Truman event, Karen  
16 Tramontano and I would like to have a brief coffee with Tony  
17 at his earliest convenience regarding troubling events we  
18 are seeing in Ukraine." In parentheses it says, "He said  
19 yes." Who is Tony?

20 MS. PAINTER: His name is Antony Blinken.

21 MR. DOWNEY: And where did he work?

22 MS. PAINTER: At the Department of State.

23 MR. DOWNEY: Now do you know Mr. Blinken?

24 MS. PAINTER: I've known Tony--I've known Mr. Blinken  
25 over 25 years as a professional colleague.

1 MR. DOWNEY: What were the troubling events you wanted  
2 to discuss with Mr. Blinken?

3 MS. PAINTER: We wanted to get his guidance on how to  
4 deal with Mr. Kent.

5 MR. DOWNEY: What was Mr. Kent doing that you sought  
6 Mr. Blinken's guidance?

7 MS. PAINTER: I believe I answered that question, but  
8 I'll tell you again, that Mr. Kent was making false  
9 allegations about representation in our firm.

10 MR. DOWNEY: Did this meeting with Mr. Blinken occur?

11 MS. PAINTER: It did not.

12 MR. DOWNEY: Was there a phone call between Blue Star  
13 Strategies and Mr. Blinken about this issue?

14 MS. PAINTER: There was not.

15 MR. DOWNEY: Did you ever discuss the issues with Mr.  
16 Kent with Mr. Blinken?

17 MS. PAINTER: I never had the opportunity to talk to  
18 Mr. Blinken about this.

19 MR. DOWNEY: Okay. We're going to go Tab 25, Will,  
20 which will be Exhibit 20.

21 [Painter Exhibit No. 20 was  
22 marked for identification.]

23 MR. DOWNEY: And scroll down please.

24 Exhibit 20 is a September 6, 2016, email Sally Painter  
25 sent to Mr. Fried, with the subject line, "Please call me on

1 cell," redacted, "Thank you. I need your guidance."

2 Why did you request to speak with Mr. Fried on this  
3 date?

4 MS. PAINTER: Can you scroll up to the beginning of  
5 this email?

6 MR. DOWNEY: Sure.

7 MS. PAINTER: Oh, it's the same issue as Mr. Kent.

8 MR. DOWNEY: Did you connect with Mr. Fried on this day  
9 to discuss this issue about Mr. Kent?

10 MS. PAINTER: I can't recall if I talked to Ambassador  
11 Fried at this moment.

12 MR. DOWNEY: Did you have a phone call with Mr. Kent  
13 during this same time period of September of 2016?

14 MS. PAINTER: I can't recall the sequence of events,  
15 but by time I believe I had talked to Mr. Kent.

16 MR. DOWNEY: What did you discuss?

17 MS. PAINTER: With Mr. Kent?

18 MR. DOWNEY: Yes.

19 MS. PAINTER: I asked Mr. Kent to stop making false  
20 allegations about our firm.

21 MR. DOWNEY: How long was the discussion with Mr. Kent?

22 MS. PAINTER: It was brief.

23 MR. DOWNEY: How would you describe it? Was he  
24 receptive to your overture?

25 MS. PAINTER: He was not.

1 MR. DOWNEY: And why not?

2 MS. PAINTER: I don't know why.

3 MR. DOWNEY: Did he disagree with what you were  
4 bringing up on the phone call?

5 MS. PAINTER: I can't speak for him.

6 MR. DOWNEY: Did any other members of Blue Star contact  
7 the Ukrainian Embassy connected to this?

8 MS. PAINTER: Yes.

9 MR. DOWNEY: Who contacted the Ukrainian Embassy?

10 MS. PAINTER: Ms. Tramontano.

11 MR. DOWNEY: Quickly going back to your conversation  
12 with Mr. Kent, did you discuss Burisma in that phone call  
13 with Mr. Kent?

14 MS. PAINTER: We did not.

15 MR. DOWNEY: Did you discuss Zlochevsky on the  
16 September 2016 phone call with Mr. Kent?

17 MS. PAINTER: We did not.

18 MR. DOWNEY: Just a minute.

19 [Pause.]

20 MR. DOWNEY: This phone call in September 2016 with Mr.  
21 Kent, what did he discuss with you, or what was his argument  
22 for--why was there conflict between Blue Star and Mr. Kent?

23 MS. PAINTER: Mr. Kent was making false allegations  
24 about our firm. I called him on it and asked him to stop,  
25 and he refused.

1 MR. DOWNEY: So on that phone call you explained Blue  
2 Star's position why Mr. Kent was in error, but he still  
3 refused to back down from his position?

4 MS. PAINTER: I explained to Mr. Kent I never heard of  
5 the individual that he had alleged that we were working for,  
6 and I asked him to stop repeating that.

7 MR. DOWNEY: And his response to that was--

8 MS. PAINTER: Mr. Kent said he was allowed to say what  
9 he wanted to say.

10 MR. DOWNEY: And who was Mr. Kent saying this stuff to?

11 MS. PAINTER: I believe I answered that question  
12 already.

13 MR. DOWNEY: Was it outside the State Department?

14 MS. PAINTER: Yes.

15 MR. DOWNEY: So going back to the conversation between  
16 Ms. Tramontano and Ambassador Yovanovitch that occurred in  
17 September of 2016, did you get any debrief from Ms.  
18 Tramontano about that phone call?

19 MS. PAINTER: What time frame are you talking about?  
20 It's the whole year?

21 MR. DOWNEY: Yeah. September of 2016. September 8th  
22 of 2016. We'll just put this in the record. This will be  
23 Exhibit 21, Will. It's Tab 26.

24 [Painter Exhibit No. 21 was  
25 marked for identification.]

1 MS. PAINTER: Okay. I see what you're saying. So you  
2 can go back up to the beginning.

3 MR. DOWNEY: So Exhibit 21 is a September 8th, 2016,  
4 email from Ms. Painter to Dan Fried, saying, "Dear Mr.  
5 Ambassador, a quick update. Masha called Karen back and  
6 they had a very good conversation. She said she would clear  
7 up any confusion around the misrepresentation that we are  
8 representing Andriy Klyuyev, which, as you know, we are not,  
9 and have never met him."

10 Can you offer any more details on what Karen and the  
11 ambassador talked about?

12 MS. PAINTER: What I put in the note was what I know to  
13 be what I already summarized, what I know.

14 MR. DOWNEY: Was the confusion ever cleared up?

15 MS. PAINTER: I don't know.

16 MR. DOWNEY: In December of 2016, Blue Star had a  
17 meeting with Ambassador Yovanovitch. Are you aware of this?

18 MS. PAINTER: Yes.

19 MR. DOWNEY: Did you attend this meeting with Ms.  
20 Yovanovitch?

21 MS. PAINTER: I did not.

22 MR. DOWNEY: Do you know who attended with Blue Star?

23 MS. PAINTER: Ms. Tramontano.

24 MR. DOWNEY: Did Ms. Tramontano provide a debrief from  
25 her meeting with Ms. Yovanovitch?

1 MS. PAINTER: Not that I recall.

2 MR. DOWNEY: Do you recall anything from the meeting  
3 with Ms. Yovanovitch in December of 2016?

4 MS. PAINTER: No.

5 MR. DOWNEY: Do you know what was discussed between Ms.  
6 Tramontano and Ms. Yovanovitch?

7 MS. PAINTER: I do not.

8 MR. DOWNEY: Are you aware of the independent audit  
9 being conducted on Burisma during this time period?

10 MS. PAINTER: Well, can you maybe be more specific?  
11 What does that mean?

12 MR. DOWNEY: We understand an independent auditor was  
13 doing work connected to Burisma during late 2016, and we're  
14 trying to learn more about it.

15 MS. PAINTER: I don't have any more information on  
16 that. No. I don't--I don't know what you're talking about.

17 MR. DOWNEY: Okay. Just a second.

18 [Pause.]

19 MR. DOWNEY: Ms. Painter, going back to the meeting  
20 between Ms. Tramontano and Ms. Yovanovitch in December of  
21 2016, did Blue Star prepare any materials for that meeting?

22 MS. PAINTER: I don't believe so.

23 MR. DOWNEY: Okay. We probably briefly covered this,  
24 but when did Blue Star hire Mr. Telizhenko?

25 MS. PAINTER: I think it was sometime in either July or

1 September of 2016.

2 MR. DOWNEY: Before contracting with Mr. Telizhenko,  
3 did Blue Star receive any recommendations on Mr.  
4 Telizhenko's behalf before deciding to--

5 MS. PAINTER: Not that I recall.

6 MR. DOWNEY: Does Blue Star generally do that type of  
7 due diligence before hiring?

8 MS. PAINTER: Every situation is unique.

9 MR. DOWNEY: Whose decision at Blue Star was it to  
10 contract with Mr. Telizhenko?

11 MS. PAINTER: Ms. Tramontano and I made a joint  
12 decision.

13 MR. DOWNEY: And why did you have--why did you jointly  
14 decide to contract with Mr. Telizhenko?

15 MS. PAINTER: We jointly usually decide things as we  
16 run the company.

17 MR. DOWNEY: But what was the overarching reasons for  
18 wanting to contract with Mr. Telizhenko at that time?

19 MS. PAINTER: We needed a low-level administration  
20 person who was based in Kyiv and could do administrative  
21 tasks for us.

22 MR. DOWNEY: Where did Mr. Telizhenko perform his work  
23 for Blue Star?

24 MS. PAINTER: Oh, I don't know. He was never--I don't  
25 know where he operated out of.

1 MR. DOWNEY: So did Mr. Telizhenko only perform  
2 administrative tasks for Blue Star?

3 MS. PAINTER: He delivered letters, identified email.  
4 He looked at press, followed press, very low-level, junior-  
5 type things.

6 MR. DOWNEY: Did Blue Star provide Mr. Telizhenko with  
7 any computer equipment, phone, company email address?

8 MS. PAINTER: We did not.

9 MR. DOWNEY: How did you communicate with Mr.  
10 Telizhenko?

11 MS. PAINTER: We communicated by email and on the  
12 telephone.

13 MR. DOWNEY: By telephone, you mean phone calls?

14 MS. PAINTER: Yes.

15 MR. DOWNEY: Who was Mr. Telizhenko's supervisor or  
16 main point of contact at Blue Star during his contracted  
17 work?

18 MS. PAINTER: We don't have supervisors for contractual  
19 employees.

20 MR. DOWNEY: So who did he report--who did Mr.  
21 Telizhenko report to in the company?

22 MS. PAINTER: Both Ms. Tramontano and I interacted with  
23 Mr. Telizhenko.

24 MR. DOWNEY: Did Mr. Telizhenko interact with anyone  
25 else at Blue Star Strategies besides you two?

1 MS. PAINTER: There may have been some administrative  
2 emails or something, but we managed all--we were the lead  
3 contacts for him, Ms. Tramontano and myself.

4 MR. DOWNEY: Did Mr. Telizhenko's work, contracted work  
5 with Blue Star, overlap with Blue Star's work on behalf of  
6 Burisma?

7 MS. PAINTER: From a timing perspective?

8 MR. DOWNEY: Yes.

9 MS. PAINTER: Yes.

10 MR. DOWNEY: Did you or Ms. Tramontano discuss Blue  
11 Star's Burisma's work with Mr. Telizhenko?

12 MS. PAINTER: Not once Mr. Telizhenko had become a  
13 contractor.

14 MR. DOWNEY: So you discussed Burisma with him before  
15 he became a contractor?

16 MS. PAINTER: I had explained to you all that when he  
17 was at the embassy, he facilitated by delivering letters and  
18 such, requests for meetings. So he was aware of meeting  
19 requests.

20 MR. DOWNEY: Did Mr. Telizhenko mention or discuss  
21 Burisma's allegations of corruption with you?

22 MR. KADZIK: Brian, I don't know if you're using the  
23 same outline that your colleagues used, but all these  
24 questions have been asked and answered. I think many of  
25 them by you. So let's move on to stuff that you want to

1 know because we're wrapping up in less than 45 minutes.

2 MR. DOWNEY: Well, I don't know if Mr. Telizhenko ever  
3 discussed Burisma's allegations of corruption with Blue  
4 Star.

5 MR. KADZIK: Yes, you do because either you or one of  
6 your colleagues asked it once before.

7 MR. FOLIO: Hi, Peter. This is Joe. I appreciate your  
8 concern on the 45 minutes. We're trying to make best use as  
9 possible, and so we're going to decide how we want to spend  
10 the time. All those questions being asked, but I think that  
11 if they have, we can just sort of run through them quickly  
12 with Ms. Painter as to what work she did with Mr. Telizhenko  
13 and specifically what work Mr. Telizhenko did with regard to  
14 their client Burisma.

15 So, Brian, if you want to run through those, that would  
16 be helpful. Thank you.

17 MR. KADZIK: Again, those questions have been asked and  
18 answered. If you want to spend the time on it, that's fine.

19 MR. DOWNEY: So we're going to go to Tab 49-R, Will,  
20 and this will be Exhibit 22.

21 [Painter Exhibit No. 22 was  
22 marked for identification.]

23 [Pause.]

24 MR. DOWNEY: So Exhibit 22 are messages we believe from  
25 Mr. Telizhenko and Sally Painter. I'll let Ms. Painter

1 review this document.

2 [Pause.]

3 MS. PAINTER: It starts with "Hello"?

4 MR. DOWNEY: Yep.

5 MS. PAINTER: Does this--okay. Then can I read through  
6 the rest of it, please?

7 MR. DOWNEY: Sure can.

8 [Pause.]

9 MS. PAINTER: You can keep going.

10 [Pause.]

11 MS. PAINTER: Okay. Keep going.

12 [Pause.]

13 MS. PAINTER: Keep going. Keep going. Go ahead.

14 [Pause.]

15 MS. PAINTER: Keep going. Okay.

16 [Pause.]

17 MS. PAINTER: Okay. Okay.

18 [Pause.]

19 MS. PAINTER: Keep going.

20 [Pause.]

21 MS. PAINTER: Okay.

22 MR. DOWNEY: Did you text with Andrii Telizhenko?

23 MS. PAINTER: I believe so, yes.

24 MR. DOWNEY: Do these appear to be messages between  
25 yourself and Mr. Telizhenko?

1 MS. PAINTER: Yes.

2 MR. DOWNEY: How often do you text with Mr. Telizhenko?

3 MS. PAINTER: I can't quantify. I don't recall the  
4 number.

5 MR. DOWNEY: Do you currently still communicate with  
6 Mr. Telizhenko?

7 MS. PAINTER: I do not.

8 MR. DOWNEY: Why not?

9 MS. PAINTER: We have nothing to communicate about.

10 MR. DOWNEY: When is the last time you communicated  
11 with Mr. Telizhenko?

12 MS. PAINTER: I don't recall.

13 MR. DOWNEY: So according to these messages, on April  
14 30th, 2019--which is on page 1, Will--why did you ask Mr.  
15 Telizhenko to take Blue Star off his resume?

16 MS. PAINTER: That really doesn't explain what the  
17 situation was.

18 MR. DOWNEY: What was the situation?

19 MS. PAINTER: Mr. Telizhenko had voiced concern with me  
20 that as he was working more and more with Mr. Giuliani that  
21 that would hurt him with the Republicans if he were to say  
22 he was working with Blue Star.

23 MR. DOWNEY: But you asked him to remove Blue Star from  
24 his resume?

25 MS. PAINTER: I don't believe this is a representation

1 of the conversation that we had because we had a verbal  
2 conversation, and he was wondering if I thought that he  
3 would be hurt with the Republicans if he had Blue Star on--I  
4 believe it wasn't his resume. I believe it was his Facebook  
5 page, but this does not represent the conversation that I  
6 had with Mr. Telizhenko.

7 MR. DOWNEY: So those missed voice calls, is that you  
8 trying to call Mr. Telizhenko?

9 MS. PAINTER: It could be back and forth.

10 MR. DOWNEY: And just for clarity, you did discuss this  
11 over the phone with Mr. Telizhenko?

12 MS. PAINTER: I believe we did.

13 MR. DOWNEY: Was anything else discussed on that phone  
14 call?

15 MS. PAINTER: I don't recall.

16 MR. DOWNEY: On page 2, Will.

17 On June 4th, 2019, you asked Mr. Telizhenko if  
18 everything is okay, and you said you were hearing rumors.  
19 Why did you ask Mr. Telizhenko this?

20 MS. PAINTER: I don't recall.

21 MR. DOWNEY: What rumors were you hearing?

22 MS. PAINTER: I don't recall.

23 MR. DOWNEY: What did you mean that you heard that  
24 things were getting complicated for Mr. Telizhenko?

25 MS. PAINTER: I don't recall.

1 MR. DOWNEY: If you go to page 3, Will.

2 On June 18th, 2019, you wrote "Complaint filed." What  
3 is this reference to?

4 MS. PAINTER: I don't recall.

5 MR. DOWNEY: You have no recollection?

6 MS. PAINTER: I do not.

7 MR. DOWNEY: Why would you have to tell Mr. Telizhenko  
8 that a complaint was filed?

9 MS. PAINTER: I don't recall.

10 MR. DOWNEY: This is nearly three years after he left--  
11 or two years after he left Blue Star.

12 MS. PAINTER: I don't recall.

13 MR. DOWNEY: On July 9th, 2019, you texted "Please  
14 remind him that we'll be first Ukrainian to work with  
15 prince." Who do you want Mr. Telizhenko to speak to about  
16 the prince? What prince?

17 MS. PAINTER: We're--I don't see this. Where is it?

18 MR. DOWNEY: I think it's on the screen now, Ms.  
19 Painter: "I landed in London."

20 MS. PAINTER: I just--doesn't meet without--that  
21 doesn't make any sense.

22 MR. DOWNEY: Do you use the messaging app, WhatsApp?

23 MS. PAINTER: I do periodically.

24 MR. DOWNEY: Does this look like WhatsApp looks like?

25 MS. PAINTER: It does.

1 MR. DOWNEY: Do you recall if you attempted to call Mr.  
2 Telizhenko around July 9th, 2019?

3 MS. PAINTER: I don't recall that specific--can you  
4 keep scrolling down so I can read what this is to get a  
5 context?

6 [Pause.]

7 MS. PAINTER: Is there any more? Keep going. Keep  
8 going. Keep going.

9 MR. DOWNEY: I think that's it.

10 MS. PAINTER: So this round of discussion has nothing  
11 to do with the prince people. It has nothing to do with  
12 Burisma.

13 MR. DOWNEY: So do you still have these messages  
14 between yourself and Mr. Telizhenko?

15 MS. PAINTER: I do not keep my WhatsApp messages.

16 MR. DOWNEY: Why not?

17 MS. PAINTER: I like to get rid of them. It makes me  
18 know that I finished a task. So I get rid of my texts and  
19 my WhatsApp and any of my traffic like that. I like to have  
20 a clean file.

21 MR. DOWNEY: So at this point of July of 2019, do you  
22 trust Mr. Telizhenko?

23 MS. PAINTER: In what capacity?

24 MR. DOWNEY: As a person, as someone who is keeping up  
25 with the news on Ukrainian-U.S. relations?

1 MS. PAINTER: I think Mr. Telizhenko is a young person  
2 who has the capacity to do administrative work.

3 MR. DOWNEY: On page 4, why did you thank Mr.  
4 Telizhenko for sending you a list of names? Why did he send  
5 you these names? And what is the significance of these  
6 individuals?

7 MS. PAINTER: Mr. Telizhenko offered to send me a list  
8 of people that he thought were going to be senior people,  
9 and he often just would send things and offer things that  
10 weren't asked.

11 MR. DOWNEY: So why were you communicating with Mr.  
12 Telizhenko in July of 2019?

13 MS. PAINTER: We had a fine rapport, and he would  
14 communicate with me periodically.

15 MR. DOWNEY: You had a fine rapport, but you asked him  
16 to take Blue Star off his résumé?

17 MS. PAINTER: As I explained, Mr. Telizhenko was  
18 working--was concerned about his reputation with the  
19 Republicans because he was working more and more with Mr.  
20 Giuliani, and his question to me was would it hurt him with  
21 the Republicans.

22 MR. DOWNEY: Did you communicate with Mr. Telizhenko  
23 through WhatsApp in 2017 and 2018?

24 MS. PAINTER: I do not believe so, no.

25 MR. DOWNEY: So this string of communication between

1 yourself and Mr. Telizhenko in the spring and summer of 2019  
2 was new?

3 MS. PAINTER: I really didn't work with WhatsApp that  
4 much, so it was a new thing for me.

5 MR. DOWNEY: Did you communicate with Mr. Telizhenko in  
6 2017, 2018, and 2019 via email?

7 MS. PAINTER: I think I communicated in email in 2017.  
8 I don't recall--I don't recall when I switched over or what  
9 I did.

10 MR. DOWNEY: Do you know if Ms. Tramontano communicated  
11 with Mr. Telizhenko on messaging apps?

12 MS. PAINTER: I do not.

13 MR. DOWNEY: Would it surprise you if she did?

14 MS. PAINTER: I wouldn't speculate.

15 MR. DOWNEY: One minute, please.

16 [Pause.]

17 MR. DOWNEY: Going back to the January 2017 Politico  
18 article that was done by Mr. Vogel and Mr. Stern, did you  
19 communicate with Mr. Telizhenko about that article?

20 MS. PAINTER: Is that the Politico article--I believe I  
21 did talk to him because that was when we said that we don't-  
22 -our people or our contractors don't talk to the press, and  
23 he had spoken to the press.

24 MR. DOWNEY: And what did you discuss with Mr.  
25 Telizhenko about that article?

1 MS. PAINTER: I explained that Blue Star Strategies  
2 contractors do not--we do not speak to the press, and he had  
3 broken that rule, and that we were no longer able to work  
4 together.

5 MR. DOWNEY: Did you ask him how did this get out?

6 MS. PAINTER: I mean, he clearly was quoted and said he  
7 did talk to the press and he was quoted. He did not dispute  
8 that.

9 MR. DOWNEY: So to be clear, do you communicate with  
10 Mr. Telizhenko at this point, in 2020?

11 MS. PAINTER: No.

12 MR. DOWNEY: And you can't recall when you ended  
13 communication with Mr. Telizhenko?

14 MS. PAINTER: I don't recall exactly, but it was clear  
15 that he was talking to the press a lot, and it was  
16 unsettling.

17 MR. DOWNEY: So if you go to the last page of these  
18 messages between yourself and Mr. Telizhenko, the last  
19 message you sent was August 22, 2019. Do you know if you  
20 communicated past this date with him?

21 MS. PAINTER: I don't recall.

22 MR. DOWNEY: It's nearly 1 year ago on the date.

23 Just a minute. Thank you.

24 [Pause.]

25 MR. DOWNEY: Will, if we can bring that exhibit back

1 up? On the first page, so for clarity, your message to Mr.  
2 Telizhenko says, "Please take Blue Star off your résumé."

3 MS. PAINTER: Mm-hmm.

4 MR. DOWNEY: It sound like you're ordering him to do  
5 that. No?

6 MS. PAINTER: As I stated before--this will be the  
7 third time--Mr. Telizhenko was working more and more with  
8 Mr. Giuliani, and we had a conversation about whether it  
9 would hurt him with the Republicans if he had Blue Star on  
10 his résumé. So this is not a characterization of our  
11 conversation.

12 MR. DOWNEY: So is that connected to the message you  
13 sent above on April 26, 2019, that says, "Have you seen what  
14 Solomon has written about what you said?"

15 MS. PAINTER: I don't think the--I can't comment on  
16 that because I don't think this is an accurate  
17 representation of the chain of events.

18 MR. DOWNEY: So you're advising Mr. Telizhenko how to  
19 better work with Rudy Giuliani and Republicans?

20 MS. PAINTER: Ironically, Mr. Telizhenko was asking my  
21 advice.

22 MR. DOWNEY: All right. It's 4:10. I've got to confer  
23 with my colleagues here, and we'll be right back.

24 [Pause.]

25 MR. FLYNN-BROWN: Hey, Zack, do you have any questions

1 at this time?

2 MR. SCHRAM: I have one set of questions. I estimate  
3 it will take about 5 minutes.

4 MR. FLYNN-BROWN: Okay. Why don't you go ahead?

5 MR. SCHRAM: Ms. Painter, in our earlier discussion  
6 about Mr. Telizhenko's lack of credibility and his advocacy  
7 of Russian disinformation efforts, you spoke about him  
8 peddling the theory that Ukraine interfered in our 2016  
9 election. I quoted testimony from Dr. Fiona Hill, the top  
10 expert on Russia at the National Security Council, and the  
11 findings of the bipartisan investigation by the Senate  
12 Intelligence Committee, both of which unequivocally stated  
13 that the Ukrainian interference theory is false.

14 Ms. Painter, I'd like to direct your attention again to  
15 the September 27, 2019, letter from Chairman Grassley and  
16 Johnson to Attorney General Barr, which was entered as  
17 Exhibit B. At the top of page 3, the middle of the first  
18 full paragraph, starting with "Ukrainian efforts,"  
19 "Ukrainian efforts abetted by a U.S. political party to  
20 interfere in the 2016 election should not be ignored. Such  
21 allegations of corruption deserve due scrutiny, and the  
22 American people have a right to know when foreign forces  
23 attempt to undermine our democratic processes."

24 "Accordingly, please provide an answer to two questions  
25 from the July 2017 letter related to the Democrats'

1 collusion with Ukrainian officials."

2 "One, are you investigating links and coordination  
3 between the Ukrainian Government and individuals associated  
4 with the campaign of Hillary Clinton or the Democratic  
5 National Committee? If not, why not?"

6 "Two, why hasn't the Justice Department required  
7 Alexandra Chalupa to register as a foreign agent under  
8 FARA?"

9 When I raised this previously, the majority sought to  
10 "clarify" that they're specifically investigating the theory  
11 that Ukrainian interfered in our elections through Alexandra  
12 Chalupa and that somehow these other experts who denounced  
13 that theory as Russian disinformation were looking at some  
14 other Ukrainian interference. The very Politico article the  
15 majority cited as evidence that they are not advancing  
16 Russian disinformation was identified in the Senate  
17 Intelligence Committee report as being used to advance a  
18 Russian disinformation effort. The report of the Senate  
19 Intelligence Committee also specifically addresses the  
20 theory about Alexandra Chalupa.

21 Marking as Exhibit H an excerpt of the report, the  
22 fifth volume of the report, page 112.

23 [Painter Exhibit H was marked  
24 for identification.]

25 MR. SCHRAM: I'll give you a moment to review it.

1 [Pause.]

2 MR. SCHRAM: As you can see, the Senate Intelligence  
3 Committee cites an email from Paul Manafort to Donald Trump  
4 Jr. in which Manafort says that the Vogel Politico article,  
5 the same one the majority introduced into evidence,  
6 incredulously cited today, "lays out clearly the conspiracy  
7 to implement the disinformation campaign on me between the  
8 DNC, Obama administration, and the Government of Ukraine."

9 And you can look at the footnote 695. The footnote  
10 says, "The Politico article Manafort sent would be used by  
11 others close to Manafort to make the case that Ukraine, not  
12 Russia, interfered in the U.S. elections. For example, on  
13 August 22nd"--and this says 2017, but you have seen the  
14 cite, we believe that the correct cite is 2018--"Kilimnik's  
15 alias Twitter account retweeted a story by Sputnik reporter  
16 Lee Stranahan, who used the Politico article as a basis to  
17 legitimize his claims that DNC contractor Alexandra Chalupa  
18 and the Ukrainian Government was the real 2016 election  
19 interference."

20 Turning your attention to page 120 of the report--which  
21 I'll mark as Exhibit I.

22 [Painter Exhibit I was marked  
23 for identification.]

24 MR. SCHRAM: The report details the ways Russian  
25 disinformation was amplified, and that the Committee

1 discusses Russian intelligence officer Konstantin Kilimnik's  
2 efforts to push the very same narrative. "On August 22,  
3 2018, Kilimnik retweeted Sputnik reporter Lee Stranahan's  
4 tweet related to allegations that Alexandra Chalupa, a  
5 former DNC contractor, was involved in interfering with the  
6 U.S. election and that the real election interference had  
7 been between the DNC [inaudible - audio difficulties]."  
8 Again, it's cited on page 112 and on page 120.

9 Ms. Painter, should the Senate be used as a platform to  
10 amplify Russian disinformation efforts that are peddled by  
11 the likes of Mr. Kilimnik and Mr. Telizhenko?

12 MS. PAINTER: I do not believe so, no.

13 MR. SCHRAM: Ms. Painter, the majority has also  
14 insisted that their entire investigation is based solely on  
15 Government records and testimony. Yet in the last round,  
16 they entered into evidence material provided directly--  
17 apparently provided directly by Mr. Telizhenko. Were the  
18 text messages that you were shown in the last round  
19 Government records?

20 MS. PAINTER: No.

21 MR. SCHRAM: Nothing further.

22 MR. FLYNN-BROWN: Ms. Painter, can you hear me okay?

23 MS. PAINTER: Yes.

24 MR. FLYNN-BROWN: Besides its own shareholders, would  
25 the--who would benefit most from improving Burisma's

1 reputation in the United States? Would the Ukrainian  
2 Government benefit most from that?

3 Yes, I'll repeat it in full. Would the Ukrainian  
4 Government benefit most from improving Burisma's reputation  
5 in the United States?

6 MS. PAINTER: I don't know.

7 MR. FLYNN-BROWN: I'll go back to one of the questions  
8 I asked you earlier in the day. So it's your testimony here  
9 today that when meeting with U.S. Government officials, you  
10 and Blue Star Strategies did not intend to influence U.S.  
11 policy with respect to Burisma. Is that correct?

12 MS. PAINTER: That's correct.

13 MR. FLYNN-BROWN: And it is your testimony here today  
14 that you and Burisma--excuse me, you and Blue Star  
15 Strategies [inaudible - audio difficulties] assistance in  
16 the United States for Burisma?

17 MS. PAINTER: Blue Star Strategies was looking to  
18 understand the position of the U.S. Government for Burisma.  
19 We were trying to understand if Ambassador Pyatt had an  
20 individual view or he had the view of the U.S. Government.  
21 That's the activities that we engaged on, which was to  
22 explore or try to determine what the U.S. Government  
23 position was as it related to Burisma.

24 MR. FLYNN-BROWN: Those actions and activities for  
25 Burisma, your testimony here today is that you do not

1 consider them to be government relations assistance. Is  
2 that correct?

3 MS. PAINTER: I do not consider them to be lobbying. I  
4 consider that to be exploring to understand the position of  
5 the U.S. Government.

6 MR. FLYNN-BROWN: And again, you would not consider  
7 that to be government relations assistance. Is that  
8 correct?

9 MS. PAINTER: I do not believe--we were looking to  
10 explore what the position of the U.S. Government was as it  
11 relates to Burisma and understand the U.S. position relative  
12 to Burisma.

13 MR. FLYNN-BROWN: Well, then I'll just assume your  
14 answer is no, you do not consider it to be government  
15 relations assistance.

16 MR. KADZIK: Her testimony--

17 MS. PAINTER: I explained, we were trying--

18 MR. SCHRAM: Sorry, Peter. We couldn't hear you.

19 MR. KADZIK: Her testimony, you can't make an  
20 assumption. Move on.

21 MR. FLYNN-BROWN: I've asked her repeatedly, and I'm  
22 not getting an answer, so I'll assume the answer is no.

23 MR. KADZIK: You can assume whatever you want. She's  
24 given her answer.

25 MR. FLYNN-BROWN: Scott, over to you.

1 MR. WITTMANN: Ms. Painter, just a few more questions  
2 and then our time will be up today. I want to enter into  
3 the record Exhibit No. 23, Tab 460.

4 [Painter Exhibit No. 23 was  
5 marked for identification.]

6 MR. WITTMANN: Ms. Painter, this is a July 27, 2019,  
7 email that Ms. Tramontano sent to you and others, including  
8 Vadym, regarding clips about President Trump's call with  
9 President Zelensky mentioning Burisma. And please let us  
10 know if you'd like us to scroll down. It's just one page.

11 MS. PAINTER: Okay. So this is to Vadym from Ms.  
12 Tramontano.

13 MR. WITTMANN: That's correct, and you are copied on  
14 here as well.

15 MS. PAINTER: Can you go back to the top, please?

16 MR. WITTMANN: Ms. Tramontano wrote, "Thank you, Vadym.  
17 I have brief Sally. She will reach out to her friend. I  
18 talked to our other friend this morning."

19 What did Ms. Tramontano brief you on?

20 MS. PAINTER: I don't recall.

21 MR. WITTMANN: Did you discuss these clips with Ms.  
22 Tramontano around this time period?

23 MS. PAINTER: I don't recall.

24 MR. WITTMANN: Who is the friend that Ms. Tramontano  
25 said that you would reach out to?

1 MS. PAINTER: I don't recall.

2 MR. WITTMANN: Did you speak to anybody about these  
3 clips around this time period?

4 MS. PAINTER: I don't recall.

5 MR. WITTMANN: Ms. Tramontano also wrote that she will  
6 reach out to your other friend--her other friend this  
7 morning. Do you know who this person is, or was?

8 MS. PAINTER: I do not.

9 MR. WITTMANN: We're going to enter into the record,  
10 this will be Exhibit No. 24. Tab 44M please, Will.

11 [Painter Exhibit No. 24 was  
12 marked for identification.]

13 MR. WITTMANN: And you can scroll down so you can see  
14 the next page as well, Ms. Painter.

15 MS. PAINTER: Mm-hmm.

16 MR. WITTMANN: This email has to do with a letter from  
17 Ambassador Herbst, and as you can see on the next page, the  
18 letter is signed by the ambassador. What kind of  
19 interaction did Blue Star have with Ambassador Herbst  
20 regarding Burisma?

21 MS. PAINTER: Burisma was a sponsor of Atlantic Council  
22 activities related to the transatlantic space.

23 MR. WITTMANN: And how long, or when did they become a  
24 sponsor?

25 MS. PAINTER: I think it was either 2017 or 2018.

1 MR. WITTMANN: Do you know Ambassador Herbst?

2 MS. PAINTER: I do.

3 MR. WITTMANN: How do know him?

4 MS. PAINTER: I knew him when he was Ambassador to  
5 Ukraine, back under Viktor Yushchenko.

6 MR. WITTMANN: On January 16, 2018, Pero wrote to  
7 Vadym, and others are copied, including yourself, "Please  
8 find attached letter from Ambassador Herbst for the visa  
9 application purposes." What did--what was Pero referring to  
10 regarding the visa application?

11 MS. PAINTER: The Atlantic Council was inviting him to  
12 come to the U.S. for a briefing, and to come to the U.S. for  
13 a briefing he needed a visa. It was for all board members,  
14 and that's why he wrote him the invitation.

15 MR. WITTMANN: And who needed the visa?

16 MS. PAINTER: Anybody who was coming to the U.S. from  
17 Ukraine who didn't have a visa.

18 MR. WITTMANN: And in this specific case who needed the  
19 visa?

20 MS. PAINTER: Mr. Zlochevsky needed a visa to attend an  
21 Atlantic Council briefing.

22 MR. WITTMANN: Did he obtain the visa?

23 MS. PAINTER: He did not.

24 MR. WITTMANN: Do you know why?

25 MS. PAINTER: The event never happened so there was no

1 event to come to, so I don't believe he--I don't know. But  
2 there was no event. The event never took place.

3 MR. WITTMANN: Did Mr. Zlochevsky obtain visas for  
4 other events in the United States?

5 MS. PAINTER: I don't have knowledge of that.

6 MR. WITTMANN: Ms. Painter, our time is up. We will  
7 conclude today. Zack, do you have anything else to add?

8 MR. SCHRAM: No. Thank you, Scott. Thank you, Ms.  
9 Painter, for your time and for your patience.

10 MS. PAINTER: Thank you.

11 MR. WITTMANN: Thank you, Ms. Painter, for your time.  
12 It's 4:30. We're off the record.

13 MR. KADZIK: So wait, wait, wait, wait, wait, wait.  
14 Just to be clear, when you said this concludes, this is it.  
15 This concludes her testimony, period.

16 MR. FOLIO: Hi, Peter. No, that's not what we agreed  
17 to. It wasn't a one and done. But we appreciate Ms.  
18 Painter appearing voluntarily, and if we have additional  
19 questions for her we will reach out to you and let you know.

20 MR. KADZIK: So you may not agree to this one and done,  
21 but that was our condition, so it's one and done.

22 MR. FOLIO: I appreciate that, but insofar as they're  
23 unilateral conditions, I mean, you can repeat them but  
24 that's not what we agreed to.

25 MR. KADZIK: Well, you--

1 MR. FOLIO: We very much appreciate Ms. Painter's  
2 appearance today. We were able to ask many of our  
3 questions. We will go back and do our diligence and look at  
4 what we have, and if we have additional things we'd like to  
5 speak to her about we will let you know.

6 MR. KADZIK: You can let me know but it's not going to  
7 happen. Thanks.

8 MR. FOLIO: I appreciate that. I don't think I need to  
9 remind anyone the Committee has authorized subpoenas here,  
10 but just in case it needed to be said.

11 Thank you, Ms. Painter. We appreciate it.

12 MR. KADZIK: I'd like to see you get that subpoena.

13 MR. FOLIO: We already have it. Thank you, Peter.

14 [Whereupon, at 4:31 p.m., the interview was concluded.]

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## CONSULTING SERVICES AGREEMENT

This Consulting Services Agreement (the "Agreement") is between **Burisma Holdings Ltd.** (the "Client"), an independent oil and gas company, with principal place of business at Archiepiskopou. Makariou III, 155 PROTEAS HOUSE, 5<sup>th</sup> floor, 3026, Limassol Cyprus, and **Blue Star Strategies, LLC** (the "Firm"), a limited liability company with its principal place of business at 888 17th Street, NW, Suite 800, Washington, D.C. 20006, USA. For purposes of this Agreement, the Client and the Firm are referred to singularly as "the Party" or collectively as "the Parties". The Parties hereby agree to the following terms and conditions:

### AGREEMENT

#### 1. SERVICES

Under the terms of this Agreement, the Firm agrees to provide to the Client independent professional consulting services ("Services") as follows:

- Provide government relations assistance to the Client in the U.S. and Ukraine;
- Communicate to officials about the Client's business and its economic importance to Ukraine; and
- Prepare brief written reports as requested by the Client.

#### 2. OBLIGATIONS OF THE FIRM

- A. The Firm shall perform its responsibilities under this Agreement in an ethical and business-like manner and as per requirements and/or guidance of the Client and in its best interests.
- B. The Firm shall submit all reports required of it by applicable federal and state disclosure and/or reporting laws.

#### 3. OBLIGATIONS OF CLIENT

- A. Assisting with Government Disclosures by the Firm: Where applicable, the Client recognizes that the Firm may periodically be required to file federal and disclosure forms in the U.S. which may require the Client's signature.



- B. Non-payment: The Client acknowledges that any failure to timely remit payments due under this Agreement constitutes a material breach hereof.

#### 4. COMPENSATION

- A. Monthly Retainer Fee: The Client agrees to pay the Firm a Monthly Retainer Fee of US\$30,000 (thirty thousand U.S. dollars), exclusive of all expenses. The Monthly Retainer Fee is exclusive of value-added tax (VAT) and out-of-pocket business expenses. Any expenses exceeding US\$500 (five hundred U.S. dollars) shall be pre-approved by the Client in advance of being incurred.
- B. Payment Schedule: Payment of the Monthly Fee is due upon receipt of the Firm's invoice. The first invoice shall include the first two months of the Monthly Retainer Fee, in the amount of \$60,000 (sixty thousand U.S. dollars). Should the Client allow its account to fall more than thirty (30) days in arrears, the Firm retains the option of suspending its Services and those of subcontractors called for in this Agreement until payment arrangements are made to the reasonable satisfaction of the Firm.
- C. Payment by Check: If the Client chooses to remit payment in the form of a check, please make payable to:

Blue Star Strategies, LLC  
888 17<sup>th</sup> Street NW, Suite 800  
Washington, DC 20006, USA  
Attn: Sally Painter

- D. Payment by Wire: If the Client chooses to remit payment by wire transfer:

Receiving Bank: Sun Trust Bank  
Receiving Bank Swift: SNTRUS3A  
Beneficiary Bank: ABA#061000104

Account Name: Blue Star Strategies, LLC  
Account Number: #1000168741998

- E. Invoices: The Firm agrees to send all invoices to the Client. Such invoice must be original and will contain a detailed statement (report) of the work and tasks performed by the Firm hereunder, as well as receipts and/or other appropriate documents for all items for which the Firm requests reimbursement. The Client shall pay for appropriately documented and approved fees within thirty (30) days of receipt. Invoices should be mailed to:

Burisma Holdings Ltd.  
10-A Ryleyeva St., Office 424



Kyiv 04073, Ukraine  
Attn: Vadym Pozharskyi  
[vadym.pozharskyi@burisma.com](mailto:vadym.pozharskyi@burisma.com)

## **5. ASSIGNMENT**

The Firm shall not assign this Agreement or any of its rights or obligations hereunder without the express prior written approval of the Client. This Agreement shall bind and inure to the benefit of the Parties, and their respective successors and assigns permitted, as provided in this section.

## **6. CONFIDENTIALITY**

The Firm and the Client agree that they will hold in confidence and will not utilize in any manner the content of this Agreement and any information whatsoever of a restricted or confidential nature concerning the activities or business of the other, unless such disclosure: (a) is mutually agreed upon in writing; (b) is reasonably required in connection with the fulfillment of the disclosing party's obligations hereunder, and then is made only to the minimum extent necessary to carry out such obligations; (c) pertains to information which had generally become known to the public other than through the disclosure thereof by the disclosing party; (d) is made to attorneys, accountants or other professional advisors of the disclosing party under confidentiality agreements substantially similar to this one; or (e) pursuant to compulsory legal process, provided that the disclosing party has opportunity to seek a protective or similar order and only the minimum information is disclosed to comply with such legal process. "Confidential information" means any (a) information designated by the other party in writing as confidential, proprietary or restricted, and (b) any information of which the receiving party knows or should reasonably know that (i) the disclosing party treats as confidential or proprietary, or (ii) public disclosure can or will negatively affect the interests of the other party. The terms of this Section 6 shall survive the termination of this Agreement.

## **7. WORK PRODUCT**

Any and all Work Product developed or generated under this Agreement per Section 1 herein shall be owned by the Client unless otherwise agreed with the Firm.

## **8. NOTICES**

All notices required or authorized by this Agreement shall be given in writing and shall contain a reference to this Agreement. All such notices shall be deemed effective when they are either served by personal delivery, or sent, postage pre-paid, by registered or certified mail to the receiving Party at the following address:



If to the Firm: Blue Star Strategies, LLC  
888 17th Street, NW, Suite 800  
Washington, DC 20006 USA  
Attn: Sally Painter  
[sally.painter@bluestarstrategies.com](mailto:sally.painter@bluestarstrategies.com)

If to the Client: Burisma Holdings Ltd.  
10-A Ryleyeva Str., Office 424  
Kyiv 04073, Ukraine  
Attn: Vadym Pozharskyi  
[vadym.pozharskyi@burisma.com](mailto:vadym.pozharskyi@burisma.com)

## **9. RESOLUTION OF DISPUTES**

The Firm and the Client agree to make every effort to resolve amicably by direct informal negotiations any disagreement or dispute arising between them under or in connection with this Agreement. Any dispute, controversy or claim arising out of or relating to this Agreement, which cannot be settled amicably within sixty (60) days, shall be settled by arbitration in accordance with the rules of the American Arbitration Association as presently in force. The place of arbitration shall be agreed by the parties in writing within ten (10) days from the above-mentioned 60 day period, or if no agreement is reached, shall be determined by the arbitral tribunal, having regard to the circumstances of the arbitration. The language to be used in the arbitral proceedings shall be English. The Parties hereto agree to be bound by any arbitration award rendered in accordance with this provision as the final adjudication of any dispute arising under this Agreement.

## **10. PRIVILEGES AND IMMUNITIES**

Nothing in this Agreement or relating thereto shall be construed as constituting a waiver of the privileges and immunities of the Parties.

## **11. AMENDMENTS**

This Agreement may only be amended in writing signed by the Client and an executive officer of the Firm, explicitly stating that the writing is intended to amend this Agreement.

## **12. DURATION AND TERMINATION**

- A. **Term and Renewal:** This Agreement shall commence on November 1, 2015 ("the Start Date") and continue until October 31, 2016 ("Initial Term"). This



Agreement shall automatically renew and continue on a six month basis until renewed or terminated by either Party pursuant to the terms herein.

- B. Either Party may terminate this Agreement for cause upon the other Party's breach or default of any provision of this Agreement unless such breach or default is corrected or cured within thirty (30) days after receipt of written notice thereof from the other Party.
- C. Either Party may terminate this Agreement for cause immediately, in the event that the other Party: (i) is the subject of a voluntary or involuntary petition in bankruptcy; (ii) is or becomes insolvent; or (iii) ceases to pay its obligations or conduct business in the normal course.
- D. Following the expiration of the Initial Term, the Client may terminate the Agreement upon the provision, in writing, of no fewer than sixty (60) days' notice. Termination pursuant to this paragraph does not release Client or the Firm from any ongoing disclosure or reporting requirements either might have under this Agreement or any amendments hereto or of any obligation of the Client to provide compensation for any and all Services provided on behalf of the Client, which shall be pro-rated for any partial month.

### **13. WAIVER**

The failure of either Party to enforce at any time or for any period of time any provision hereof shall not be construed to be a waiver of such provision of the right thereafter to enforce each and every provision. No waiver by either Party to this Agreement, either express or implied, of any breach of any term, condition or obligation of this Agreement shall be construed as a waiver of any subsequent breach of that term, condition or obligation or of any other term, condition or obligation of this Agreement.

### **14. RELATIONSHIP OF THE PARTIES**

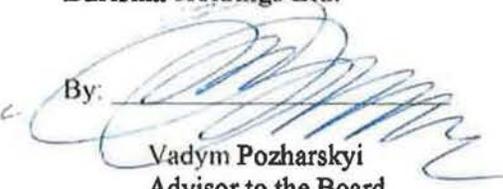
The Firm is an independent contractor. All persons employed by the Firm in the performance of the Agreement shall perform under the control and direction of the Firm and shall under no circumstances be considered employees of the Client.

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We, the undersigned, hereby agree that these terms and conditions constitute the entire Agreement governing the business relationship between the **Burisma Holdings Ltd.** and **Blue Star Strategies, LLC** for the purpose of delivery of the Services agreed above, which is made effective as from the Start Date above.

**Burisma Holdings Ltd.**

By: 

Vadym Pozharskyi  
Advisor to the Board

Date: 11/11/2015

**Blue Star Strategies, LLC**

By: 

Sally Painter  
Chief Operating Officer

Date: Nov. 18, 2015



**From:**Fried, Daniel  
**Sent:**Mon, 21 Apr 2014 22:12:07 +0000  
**To:**'Sally.Painter@bluestarstrategies.com'  
**Subject:**Re: Connecitng

Let's talk tomorrow. Was on travel when you called.

---

**From:** Sally Painter [mailto:Sally.Painter@bluestarstrategies.com]  
**Sent:** Monday, April 21, 2014 06:11 PM  
**To:** Fried, Daniel  
**Subject:** Connecitng

Dear Dan,

Hope this note finds you well. I left a message at your office last week. Please let me know a time convenient to briefly speak on Ukraine.

I understand that we are both being honored next Monday by the Bulgarians. I am clearly in good company!

warmest regards,

sally

Sally Painter  
Blue Star Strategies

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PRESIDENTIAL TRANSITION

### Ukrainian efforts to sabotage Trump backfire

Kiev officials are scrambling to make amends with the president-elect after quietly working to boost Clinton.

By KENNETH P. VOGEL and DAVID STERN | 01/11/2017 05:05 AM EST



President Petro Poroshenko's administration, along with the Ukrainian Embassy in Washington, insists that Ukraine stayed neutral in the American presidential race. | Getty

Donald Trump wasn't the only presidential candidate whose campaign was boosted by officials of a former Soviet bloc country.

Ukrainian government officials tried to help Hillary Clinton and undermine Trump by publicly questioning his fitness for office. They also disseminated documents implicating a top Trump aide in corruption and suggested they were investigating the matter, only to back away after the election. And they helped Clinton's allies research damaging information on Trump and his advisers, a Politico investigation found.

A Ukrainian-American operative who was consulting for the Democratic National Committee met with top officials in the Ukrainian Embassy in Washington in an effort to expose ties between Trump, top campaign aide Paul Manafort and Russia, according to people with direct knowledge of the situation.

The Ukrainian efforts had an impact in the race, helping to force Manafort's resignation and advancing the narrative that Trump's campaign was deeply connected to Ukraine's foe to the east, Russia. But they were far less concerted or centrally directed than Russia's alleged hacking and dissemination of Democratic emails.

Russia's effort was personally directed by Russian President Vladimir Putin, involved the country's military and foreign intelligence services, according to U.S. intelligence officials. They reportedly briefed Trump last week on the possibility that Russian operatives might have compromising information on the president-elect. And at a Senate hearing last week on the hacking, Director of National Intelligence James Clapper said "I don't think we've ever encountered a more aggressive or direct campaign to interfere in our election process than we've seen in this case."

There's little evidence of such a top-down effort by Ukraine. Longtime observers suggest that the rampant corruption, factionalism and economic struggles plaguing the country — not to mention its ongoing strife with Russia — would render it unable to pull off an ambitious covert interference campaign in another country's election. And President Petro Poroshenko's administration, along with the Ukrainian Embassy in Washington, insists that Ukraine stayed neutral in the race.

ADVERTISING

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CONGRESS

## Lawmakers broach possible Trump campaign coordination with Russia

By AUSTIN WRIGHT and MARTIN MATISHAK

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Yet Politico's investigation found evidence of Ukrainian government involvement in the race that appears to strain diplomatic protocol dictating that governments refrain from engaging in one another's elections.

Russia's meddling has sparked outrage from the American body politic. The U.S. intelligence community undertook the rare move of publicizing its findings on the matter, and President Barack Obama took several steps to officially retaliate, while members of Congress continue pushing for more investigations into the hacking and a harder line against Russia, which was already viewed in Washington as America's leading foreign adversary.

Ukraine, on the other hand, has traditionally enjoyed strong relations with U.S. administrations. Its officials worry that could change under Trump, whose team has privately expressed sentiments ranging from ambivalence to deep skepticism about Poroshenko's regime, while sounding unusually friendly notes about Putin's regime.

Poroshenko is scrambling to alter that dynamic, recently signing a \$50,000-a-month contract with a well-connected GOP-linked Washington lobbying firm to set up meetings with U.S. government officials "to strengthen U.S.-Ukrainian relations."

Revelations about Ukraine's anti-Trump efforts could further set back those efforts.

"Things seem to be going from bad to worse for Ukraine," said David A. Merkel, a senior fellow at the Atlantic Council who helped oversee U.S. relations with Russia and Ukraine while working in George W. Bush's State Department and National Security Council.

Merkel, who has served as an election observer in Ukrainian presidential elections dating back to 1993, noted there's some irony in Ukraine and Russia taking opposite sides in the 2016 presidential race, given that past Ukrainian elections were widely viewed in Washington's foreign policy community as proxy wars between the U.S. and Russia.

"Now, it seems that a U.S. election may have been seen as a surrogate battle by those in Kiev and Moscow," Merkel said.

...

The Ukrainian antipathy for Trump's team — and alignment with Clinton's — can be traced back to late 2013. That's when the country's president, Viktor Yanukovich, whom Manafort had been advising, abruptly backed out of a European Union pact linked to anti-corruption reforms. Instead, Yanukovich entered into a multibillion-dollar bailout agreement with Russia, sparking protests across Ukraine and prompting Yanukovich to flee the country to Russia under Putin's protection.

In the ensuing crisis, Russian troops moved into the Ukrainian territory of Crimea, and Manafort dropped off the radar.

Manafort's work for Yanukovich caught the attention of a veteran Democratic operative named Alexandra Chalupa, who had worked in the White House Office of Public Liaison during the Clinton administration. Chalupa went on to work as a staffer, then as a consultant, for Democratic National Committee. The DNC paid her \$412,000 from 2004 to June 2016, according to Federal Election Commission records, though she also was paid by other clients during that time, including Democratic campaigns and the DNC's arm for engaging expatriate Democrats around the world.

A daughter of Ukrainian immigrants who maintains strong ties to the Ukrainian-American diaspora and the U.S. Embassy in Ukraine, Chalupa, a lawyer by training, in 2014 was doing pro bono work for another client interested in the Ukrainian crisis and began researching Manafort's role in Yanukovich's rise, as well as his ties to the pro-Russian oligarchs who funded Yanukovich's political party.

In an interview this month, Chalupa told Politico she had developed a network of sources in Kiev and Washington, including investigative journalists, government officials and private intelligence operatives. While her consulting work at the DNC this past election cycle centered on mobilizing ethnic communities — including Ukrainian-Americans — she said that, when Trump's unlikely presidential campaign began surging in late 2015, she

began focusing more on the research, and expanded it to include Trump's ties to Russia, as well.

She occasionally shared her findings with officials from the DNC and Clinton's campaign, Chalupa said. In January 2016 — months before Manafort had taken any role in Trump's campaign — Chalupa told a senior DNC official that, when it came to Trump's campaign, "I felt there was a Russia connection," Chalupa recalled. "And that, if there was, that we can expect Paul Manafort to be involved in this election," said Chalupa, who at the time also was warning leaders in the Ukrainian-American community that Manafort was "Putin's political brain for manipulating U.S. foreign policy and elections."

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#### PRESIDENTIAL TRANSITION

### Trump confronts firestorm over Russia allegations

By ELI STOKOLS, SHANE GOLDMACHER, JOSH DAWSEY and MICHAEL CROWLEY

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She said she shared her concern with Ukraine's ambassador to the U.S., Valeriy Chaly, and one of his top aides, Oksana Shulyar, during a March 2016 meeting at the Ukrainian Embassy. According to someone briefed on the meeting, Chaly said that Manafort was very much on his radar, but that he wasn't particularly concerned about the operative's ties to Trump since he didn't believe Trump stood much of a chance of winning the GOP nomination, let alone the presidency.

That was not an uncommon view at the time, and, perhaps as a result, Trump's ties to Russia — let alone Manafort's — were not the subject of much attention.

That all started to change just four days after Chalupa's meeting at the embassy, when it was reported that Trump had in fact hired Manafort, suggesting that Chalupa may have been on to something. She quickly found herself in high demand. The day after Manafort's hiring was revealed, she briefed the DNC's communications staff on Manafort, Trump and their ties to Russia, according to an operative familiar with the situation.

A former DNC staffer described the exchange as an "informal conversation," saying "briefing' makes it sound way too formal," and adding, "We were not directing or driving her work on this." Yet, the former DNC staffer and the operative familiar with the situation agreed that with the DNC's encouragement, Chalupa asked embassy staff to try to arrange an interview in which Poroshenko might discuss Manafort's ties to Yanukovich.

While the embassy declined that request, officials there became "helpful" in Chalupa's efforts, she said, explaining that she traded information and leads with them. "If I asked a

question, they would provide guidance, or if there was someone I needed to follow up with.” But she stressed, “There were no documents given, nothing like that.”

Chalupa said the embassy also worked directly with reporters researching Trump, Manafort and Russia to point them in the right directions. She added, though, “they were being very protective and not speaking to the press as much as they should have. I think they were being careful because their situation was that they had to be very, very careful because they could not pick sides. It’s a political issue, and they didn’t want to get involved politically because they couldn’t.”

Shulyar vehemently denied working with reporters or with Chalupa on anything related to Trump or Manafort, explaining “we were stormed by many reporters to comment on this subject, but our clear and adamant position was not to give any comment [and] not to interfere into the campaign affairs.”

Both Shulyar and Chalupa said the purpose of their initial meeting was to organize a June reception at the embassy to promote Ukraine. According to the embassy’s website, the event highlighted female Ukrainian leaders, featuring speeches by Ukrainian parliamentarian Hanna Hopko, who discussed “Ukraine’s fight against the Russian aggression in Donbas,” and longtime Hillary Clinton confidante Melanne Vermeer, who worked for Clinton in the State Department and was a vocal surrogate during the presidential campaign.

Shulyar said her work with Chalupa “didn’t involve the campaign,” and she specifically stressed that “We have never worked to research and disseminate damaging information about Donald Trump and Paul Manafort.”

But Andrii Telizhenko, who worked as a political officer in the Ukrainian Embassy under Shulyar, said she instructed him to help Chalupa research connections between Trump, Manafort and Russia. “Oksana said that if I had any information, or knew other people who did, then I should contact Chalupa,” recalled Telizhenko, who is now a political consultant in Kiev. “They were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa,” he said, adding “Oksana was keeping it all quiet,” but “the embassy worked very closely with” Chalupa.

In fact, sources familiar with the effort say that Shulyar specifically called Telizhenko into a meeting with Chalupa to provide an update on an American media outlet’s ongoing investigation into Manafort.

Telizhenko recalled that Chalupa told him and Shulyar that, “If we can get enough information on Paul [Manafort] or Trump’s involvement with Russia, she can get a hearing in Congress by September.”

Chalupa confirmed that, a week after Manafort’s hiring was announced, she discussed the possibility of a congressional investigation with a foreign policy legislative assistant in the office of Rep. Marcy Kaptur (D-Ohio), who co-chairs the Congressional Ukrainian Caucus. But, Chalupa said, “It didn’t go anywhere.”

Asked about the effort, the Kaptur legislative assistant called it a “touchy subject” in an internal email to colleagues that was accidentally forwarded to Politico.

Kaptur’s office later emailed an official statement explaining that the lawmaker is backing a bill to create an independent commission to investigate “possible outside interference in our elections.” The office added “at this time, the evidence related to this matter points to Russia, but Congresswoman Kaptur is concerned with any evidence of foreign entities interfering in our elections.”

...

Almost as quickly as Chalupa’s efforts attracted the attention of the Ukrainian Embassy and Democrats, she also found herself the subject of some unwanted attention from overseas.

Within a few weeks of her initial meeting at the embassy with Shulyar and Chalupa, Chalupa on April 20 received the first of what became a series of messages from the administrators of her private Yahoo email account, warning her that “state-sponsored actors” were trying to hack into her emails.

She kept up her crusade, appearing on a panel a week after the initial hacking message to discuss her research on Manafort with a group of Ukrainian investigative journalists gathered at the Library of Congress for a program sponsored by a U.S. congressional agency called the Open World Leadership Center.

Center spokeswoman Maura Sheldon stressed that her group is nonpartisan and ensures “that our delegations hear from both sides of the aisle, receiving bipartisan information.” She said the Ukrainian journalists in subsequent days met with Republican officials in North Carolina and elsewhere. And she said that, before the Library of Congress event, “Open World’s program manager for Ukraine did contact Chalupa to advise her that Open World is a nonpartisan agency of the Congress.”

Chalupa, though, indicated in an email that was later hacked and released by WikiLeaks that the Open World Leadership Center “put me on the program to speak specifically about Paul Manafort.”

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## Republicans pile on Russia for hacking, get details on GOP targets

By MARTIN MATISHAK and AUSTIN WRIGHT

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In the email, which was sent in early May to then-DNC communications director Luis Miranda, Chalupa noted that she had extended an invitation to the Library of Congress forum to veteran Washington investigative reporter Michael Isikoff. Two days before the event, he had published a story for Yahoo News revealing the unraveling of a \$26 million deal between Manafort and a Russian oligarch related to a telecommunications venture in Ukraine. And Chalupa wrote in the email she’d been “working with for the past few weeks” with Isikoff “and connected him to the Ukrainians” at the event.

Isikoff, who accompanied Chalupa to a reception at the Ukrainian Embassy immediately after the Library of Congress event, declined to comment.

Chalupa further indicated in her hacked May email to the DNC that she had additional sensitive information about Manafort that she intended to share “offline” with Miranda and DNC research director Lauren Dillon, including “a big Trump component you and Lauren need to be aware of that will hit in next few weeks and something I’m working on you should be aware of.” Explaining that she didn’t feel comfortable sharing the intel over email, Chalupa attached a screenshot of a warning from Yahoo administrators about “state-sponsored” hacking on her account, explaining, “Since I started digging into Manafort these messages have been a daily occurrence on my yahoo account despite changing my password often.”

Dillon and Miranda declined to comment.

A DNC official stressed that Chalupa was a consultant paid to do outreach for the party’s political department, not a researcher. She undertook her investigations into Trump, Manafort and Russia on her own, and the party did not incorporate her findings in its dossiers on the subjects, the official said, stressing that the DNC had been building robust research books on Trump and his ties to Russia long before Chalupa began sounding alarms.

Nonetheless, Chalupa's hacked email reportedly escalated concerns among top party officials, hardening their conclusion that Russia likely was behind the cyber intrusions with which the party was only then beginning to grapple.

Chalupa left the DNC after the Democratic convention in late July to focus fulltime on her research into Manafort, Trump and Russia. She said she provided off-the-record information and guidance to "a lot of journalists" working on stories related to Manafort and Trump's Russia connections, despite what she described as escalating harassment.

About a month-and-a-half after Chalupa first started receiving hacking alerts, someone broke into her car outside the Northwest Washington home where she lives with her husband and three young daughters, she said. They "rampaged it, basically, but didn't take anything valuable — left money, sunglasses, \$1,200 worth of golf clubs," she said, explaining she didn't file a police report after that incident because she didn't connect it to her research and the hacking.

But by the time a similar vehicle break-in occurred involving two family cars, she was convinced that it was a Russia-linked intimidation campaign. The police report on the latter break-in noted that "both vehicles were unlocked by an unknown person and the interior was ransacked, with papers and the garage openers scattered throughout the cars. Nothing was taken from the vehicles."

Then, early in the morning on another day, a woman "wearing white flowers in her hair" tried to break into her family's home at 1:30 a.m., Chalupa said. Shulyar told Chalupa that the mysterious incident bore some of the hallmarks of intimidation campaigns used against foreigners in Russia, according to Chalupa.

"This is something that they do to U.S. diplomats, they do it to Ukrainians. Like, this is how they operate. They break into people's homes. They harass people. They're theatrical about it," Chalupa said. "They must have seen when I was writing to the DNC staff, outlining who Manafort was, pulling articles, saying why it was significant, and painting the bigger picture."

In a Yahoo News story naming Chalupa as one of 16 "ordinary people" who "shaped the 2016 election," Isikoff wrote that after Chalupa left the DNC, FBI agents investigating the hacking questioned her and examined her laptop and smartphone.

Chalupa this month told Politico that, as her research and role in the election started becoming more public, she began receiving death threats, along with continued alerts of state-sponsored hacking. But she said, "None of this has scared me off."

...

While it's not uncommon for outside operatives to serve as intermediaries between governments and reporters, one of the more damaging Russia-related stories for the Trump campaign — and certainly for Manafort — can be traced more directly to the Ukrainian government.

Documents released by an independent Ukrainian government agency — and publicized by a parliamentarian — appeared to show \$12.7 million in cash payments that were earmarked for Manafort by the Russia-aligned party of the deposed former president, Yanukovich.

The New York Times, in the August story revealing the ledgers' existence, reported that the payments earmarked for Manafort were “a focus” of an investigation by Ukrainian anti-corruption officials, while CNN reported days later that the FBI was pursuing an overlapping inquiry.

HSGAC MAJORITY STAFF EXHIBIT

One of the most damaging Russia-related stories during Donald Trump's campaign can be traced to the Ukrainian government. | AP Photo

Clinton's campaign seized on the story to advance Democrats' argument that Trump's campaign was closely linked to Russia. The ledger represented "more troubling connections between Donald Trump's team and pro-Kremlin elements in Ukraine," Robby Mook, Clinton's campaign manager, said in a statement. He demanded that Trump "disclose campaign chair Paul Manafort's and all other campaign employees' and advisers' ties to Russian or pro-Kremlin entities, including whether any of Trump's employees or advisers are currently representing and or being paid by them."

A former Ukrainian investigative journalist and current parliamentarian named Serhiy Leshchenko, who was elected in 2014 as part of Poroshenko's party, held a news conference to highlight the ledgers, and to urge Ukrainian and American law enforcement to aggressively investigate Manafort.

"I believe and understand the basis of these payments are totally against the law — we have the proof from these books," Leshchenko said during the news conference, which attracted international media coverage. "If Mr. Manafort denies any allegations, I think he has to be interrogated into this case and prove his position that he was not involved in any misconduct on the territory of Ukraine," Leshchenko added.

Manafort denied receiving any off-books cash from Yanukovych's Party of Regions, and said that he had never been contacted about the ledger by Ukrainian or American investigators, later telling POLITICO "I was just caught in the crossfire."

According to a series of memos reportedly compiled for Trump's opponents by a former British intelligence agent, Yanukovych, in a secret meeting with Putin on the day after the *Times* published its report, admitted that he had authorized "substantial kickback payments to Manafort." But according to the report, which was published Tuesday by BuzzFeed but remains unverified. Yanukovych assured Putin "that there was no documentary trail left behind which could provide clear evidence of this" — an alleged statement that seemed to implicitly question the authenticity of the ledger.

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2016

## Inside the fall of Paul Manafort

By KENNETH P. VOGEL and MARC CAPUTO

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The scrutiny around the ledgers — combined with that from other stories about his Ukraine work — proved too much, and he stepped down from the Trump campaign less than a week after the *Times* story.

At the time, Leshchenko suggested that his motivation was partly to undermine Trump. "For me, it was important to show not only the corruption aspect, but that he is [a] pro-Russian candidate who can break the geopolitical balance in the world," Leshchenko told the *Financial Times* about two weeks after his news conference. The newspaper noted that Trump's candidacy had spurred "Kiev's wider political leadership to do something they would never have attempted before: intervene, however indirectly, in a U.S. election," and the story quoted Leshchenko asserting that the majority of Ukraine's politicians are "on Hillary Clinton's side."

But by this month, Leshchenko was seeking to recast his motivation, telling Politico, “I didn’t care who won the U.S. elections. This was a decision for the American voters to decide.” His goal in highlighting the ledgers, he said was “to raise these issues on a political level and emphasize the importance of the investigation.”

In a series of answers provided to Politico, a spokesman for Poroshenko distanced his administration from both Leshchenko’s efforts and those of the agency that reLeshchenko Leshchenko leased the ledgers, The National Anti-Corruption Bureau of Ukraine. It was created in 2014 as a condition for Ukraine to receive aid from the U.S. and the European Union, and it signed an evidence-sharing agreement with the FBI in late June — less than a month and a half before it released the ledgers.

The bureau is “fully independent,” the Poroshenko spokesman said, adding that when it came to the presidential administration there was “no targeted action against Manafort.” He added “as to Serhiy Leshchenko, he positions himself as a representative of internal opposition in the Bloc of Petro Poroshenko’s faction, despite [the fact that] he belongs to the faction,” the spokesman said, adding, “it was about him personally who pushed [the anti-corruption bureau] to proceed with investigation on Manafort.”

But an operative who has worked extensively in Ukraine, including as an adviser to Poroshenko, said it was highly unlikely that either Leshchenko or the anti-corruption bureau would have pushed the issue without at least tacit approval from Poroshenko or his closest allies.

“It was something that Poroshenko was probably aware of and could have stopped if he wanted to,” said the operative.

And, almost immediately after Trump’s stunning victory over Clinton, questions began mounting about the investigations into the ledgers — and the ledgers themselves.

An official with the anti-corruption bureau told a Ukrainian newspaper, “Mr. Manafort does not have a role in this case.”

And, while the anti-corruption bureau told Politico late last month that a “general investigation [is] still ongoing” of the ledger, it said Manafort is not a target of the investigation. “As he is not the Ukrainian citizen, [the anti-corruption bureau] by the law couldn’t investigate him personally,” the bureau said in a statement.

Some Poroshenko critics have gone further, suggesting that the bureau is backing away from investigating because the ledgers might have been doctored or even forged.

Valentyn Nalyvaichenko, a Ukrainian former diplomat who served as the country's head of security under Poroshenko but is now affiliated with a leading opponent of Poroshenko, said it was fishy that "only one part of the black ledger appeared." He asked, "Where is the handwriting analysis?" and said it was "crazy" to announce an investigation based on the ledgers. He met last month in Washington with Trump allies, and said, "of course they all recognize that our [anti-corruption bureau] intervened in the presidential campaign."

And in an interview this week, Manafort, who re-emerged as an informal advisor to Trump after Election Day, suggested that the ledgers were inauthentic and called their publication "a politically motivated false attack on me. My role as a paid consultant was public. There was nothing off the books, but the way that this was presented tried to make it look shady."

He added that he felt particularly wronged by efforts to cast his work in Ukraine as pro-Russian, arguing "all my efforts were focused on helping Ukraine move into Europe and the West." He specifically cited his work on denuclearizing the country and on the European Union trade and political pact that Yanukovich spurned before fleeing to Russia. "In no case was I ever involved in anything that would be contrary to U.S. interests," Manafort said.

Yet Russia seemed to come to the defense of Manafort and Trump last month, when a spokeswoman for Russia's Foreign Ministry charged that the Ukrainian government used the ledgers as a political weapon.

"Ukraine seriously complicated the work of Trump's election campaign headquarters by planting information according to which Paul Manafort, Trump's campaign chairman, allegedly accepted money from Ukrainian oligarchs," Maria Zakharova said at a news briefing, according to a transcript of her remarks posted on the Foreign Ministry's website. "All of you have heard this remarkable story," she told assembled reporters.

...

Beyond any efforts to sabotage Trump, Ukrainian officials didn't exactly extend a hand of friendship to the GOP nominee during the campaign.

The ambassador, Chaly, penned an op-ed for The Hill, in which he chastised Trump for a confusing series of statements in which the GOP candidate at one point expressed a willingness to consider recognizing Russia's annexation of the Ukrainian territory of Crimea as legitimate. The op-ed made some in the embassy uneasy, sources said.

“That was like too close for comfort, even for them,” said Chalupa. “That was something that was as risky as they were going to be.”

Former Ukrainian Prime Minister Arseny Yatseniuk warned on Facebook that Trump had “challenged the very values of the free world.”

Ukraine’s minister of internal affairs, Arsen Avakov, piled on, trashing Trump on Twitter in July as a “clown” and asserting that Trump is “an even bigger danger to the US than terrorism.”

Avakov, in a Facebook post, lashed out at Trump for his confusing Crimea comments, calling the assessment the “diagnosis of a dangerous misfit,” according to a translated screenshot featured in one media report, though he later deleted the post. He called Trump “dangerous for Ukraine and the US” and noted that Manafort worked with Yanukovich when the former Ukrainian leader “fled to Russia through Crimea. Where would Manafort lead Trump?”

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#### INVESTIGATIONS

### Manafort’s man in Kiev

By KENNETH P. VOGEL

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The Trump-Ukraine relationship grew even more fraught in September with reports that the GOP nominee had snubbed Poroshenko on the sidelines of the United Nations General Assembly in New York, where the Ukrainian president tried to meet both major party candidates, but scored only a meeting with Clinton.

Telizhenko, the former embassy staffer, said that, during the primaries, Chaly, the country’s ambassador in Washington, had actually instructed the embassy not to reach out to Trump’s campaign, even as it was engaging with those of Clinton and Trump’s leading GOP rival, Ted Cruz.

“We had an order not to talk to the Trump team, because he was critical of Ukraine and the government and his critical position on Crimea and the conflict,” said Telizhenko. “I was yelled at when I proposed to talk to Trump,” he said, adding, “The ambassador said not to get involved — Hillary is going to win.”

This account was confirmed by Nalyvaichenko, the former diplomat and security chief now affiliated with a Poroshenko opponent, who said, “The Ukrainian authorities closed all doors and windows — this is from the Ukrainian side.” He called the strategy “bad and short-sighted.”

Andriy Artemenko, a Ukrainian parliamentarian associated with a conservative opposition party, did meet with Trump's team during the campaign and said he personally offered to set up similar meetings for Chaly but was rebuffed.

"It was clear that they were supporting Hillary Clinton's candidacy," Artemenko said. "They did everything from organizing meetings with the Clinton team, to publicly supporting her, to criticizing Trump. ... I think that they simply didn't meet because they thought that Hillary would win."

Shulyar rejected the characterizations that the embassy had a ban on interacting with Trump, instead explaining that it "had different diplomats assigned for dealing with different teams tailoring the content and messaging. So it was not an instruction to abstain from the engagement but rather an internal discipline for diplomats not to get involved into a field she or he was not assigned to, but where another colleague was involved."

And she pointed out that Chaly traveled to the GOP convention in Cleveland in late July and met with members of Trump's foreign policy team "to highlight the importance of Ukraine and the support of it by the U.S."

Despite the outreach, Trump's campaign in Cleveland gutted a proposed amendment to the Republican Party platform that called for the U.S. to provide "lethal defensive weapons" for Ukraine to defend itself against Russian incursion, backers of the measure charged.

The outreach ramped up after Trump's victory. Shulyar pointed out that Poroshenko was among the first foreign leaders to call to congratulate Trump. And she said that, since Election Day, Chaly has met with close Trump allies, including Sens. Jeff Sessions, Trump's nominee for attorney general, and Bob Corker, the chairman of the Senate Foreign Relations Committee, while the ambassador accompanied Ivanna Klymush-Tsintsadze, Ukraine's vice prime minister for European and Euro-Atlantic integration, to a round of Washington meetings with Rep. Tom Marino (R-Pa.), an early Trump backer, and Jim DeMint, president of The Heritage Foundation, which played a prominent role in Trump's transition.

...

Many Ukrainian officials and operatives and their American allies see Trump's inauguration this month as an existential threat to the country, made worse, they admit, by the dissemination of the secret ledger, the antagonistic social media posts and the perception that the embassy meddled against — or at least shut out — Trump.

“It’s really bad. The [Poroshenko] administration right now is trying to re-coordinate communications,” said Telizhenko, adding, “The Trump organization doesn’t want to talk to our administration at all.”

During Nalyvaichenko’s trip to Washington last month, he detected lingering ill will toward Ukraine from some, and lack of interest from others, he recalled. “Ukraine is not on the top of the list, not even the middle,” he said.

Poroshenko’s allies are scrambling to figure out how to build a relationship with Trump, who is known for harboring and prosecuting grudges for years.

A delegation of Ukrainian parliamentarians allied with Poroshenko last month traveled to Washington partly to try to make inroads with the Trump transition team, but they were unable to secure a meeting, according to a Washington foreign policy operative familiar with the trip. And operatives in Washington and Kiev say that after the election, Poroshenko met in Kiev with top executives from the Washington lobbying firm BGR — including Ed Rogers and Lester Munson — about how to navigate the Trump regime.

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## Ukrainians fall out of love with Europe

By DAVID STERN

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Weeks later, BGR reported to the Department of Justice that the government of Ukraine would pay the firm \$50,000 a month to “provide strategic public relations and government affairs counsel,” including “outreach to U.S. government officials, non-government organizations, members of the media and other individuals.”

Firm spokesman Jeffrey Birnbaum suggested that “pro-Putin oligarchs” were already trying to sow doubts about BGR’s work with Poroshenko. While the firm maintains close relationships with GOP congressional leaders, several of its principals were dismissive or sharply critical of Trump during the GOP primary, which could limit their effectiveness lobbying the new administration.

The Poroshenko regime’s standing with Trump is considered so dire that the president’s allies after the election actually reached out to make amends with — and even seek assistance from — Manafort, according to two operatives familiar with Ukraine’s efforts to make inroads with Trump.

Meanwhile, Poroshenko’s rivals are seeking to capitalize on his dicey relationship with Trump’s team. Some are pressuring him to replace Chaly, a close ally of Poroshenko’s who

is being blamed by critics in Kiev and Washington for implementing — if not engineering — the country’s anti-Trump efforts, according to Ukrainian and U.S. politicians and operatives interviewed for this story. They say that several potential Poroshenko opponents have been through Washington since the election seeking audiences of their own with Trump allies, though most have failed to do so.

“None of the Ukrainians have any access to Trump — they are all desperate to get it, and are willing to pay big for it,” said one American consultant whose company recently met in Washington with Yuriy Boyko, a former vice prime minister under Yanukovich. Boyko, who like Yanukovich has a pro-Russian worldview, is considering a presidential campaign of his own, and his representatives offered “to pay a shit-ton of money” to get access to Trump and his inaugural events, according to the consultant.

The consultant turned down the work, explaining, “It sounded shady, and we don’t want to get in the middle of that kind of stuff.”

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HSGAC MAJORITY STAFF EXHIBIT

**From:** [REDACTED]  
**Sent:** Tue, 20 May 2014 16:50:23 +0000  
**To:** 'Gabriella Ippolito'  
**Cc:** Sally Painter  
**Subject:** RE: Setting up a meeting with Sally Painter and Ambassador Fried

Received, thanks!

---

**From:** Gabriella Ippolito [mailto:Gabriella.Ippolito@bluestarstrategies.com]  
**Sent:** Tuesday, May 20, 2014 12:29 PM  
**To:** [REDACTED]  
**Cc:** Sally Painter  
**Subject:** RE: Setting up a meeting with Sally Painter and Ambassador Fried

Sure:

Sally Anna Painter

Blue Star Strategies

[Sally.painter@bluestarstrategies.com](mailto:Sally.painter@bluestarstrategies.com)

Thanks,

Gabriella

---

**From:** [REDACTED]  
**Sent:** Tuesday, May 20, 2014 12:25 PM  
**To:** Gabriella Ippolito  
**Subject:** RE: Setting up a meeting with Sally Painter and Ambassador Fried

Just her full name, organization that she works for, and an email address for her. Thanks.

[REDACTED]

[REDACTED]  
*Executive Assistant to Ambassador Daniel Fried,  
Coordinator for Sanctions Policy - D/CSP  
U.S. Department of State  
ATSG, LLC - Contractor  
(202)647-3893*

---

**From:** Gabriella Ippolito [mailto:Gabriella.Ippolito@bluestarstrategies.com]  
**Sent:** Tuesday, May 20, 2014 12:21 PM

**To:** [REDACTED]  
**Subject:** RE: Setting up a meeting with Sally Painter and Ambassador Fried

Hello [REDACTED],

Thursday the 29<sup>th</sup> at 3:00 works for Sally. Do we need to provide any information ahead of her visit?

Thanks,

Gabriella

Gabriella Ippolito  
Blue Star Strategies

(+1) 202-650-5463 direct  
(+1) 202-822-9088 fax  
[gabriella.ippolito@bluestarstrategies.com](mailto:gabriella.ippolito@bluestarstrategies.com)

888 17th Street NW, Suite 800  
Washington, DC 20006

[www.bluestarstrategies.com](http://www.bluestarstrategies.com)

---

**From:** [REDACTED]  
**Sent:** Tuesday, May 20, 2014 10:22 AM  
**To:** Gabriella Ippolito  
**Subject:** RE: Setting up a meeting with Sally Painter and Ambassador Fried

How about Thursday, May 29<sup>th</sup> at 3pm? Please confirm that this will work on your end. Thanks.

[REDACTED]

[REDACTED]  
*Executive Assistant to Ambassador Daniel Fried,  
Coordinator for Sanctions Policy - D/CSP  
U.S. Department of State  
ATSG, LLC - Contractor  
(202)647-3893*

---

**From:** Gabriella Ippolito [<mailto:Gabriella.Ippolito@bluestarstrategies.com>]  
**Sent:** Friday, May 16, 2014 11:24 AM  
**To:** [REDACTED]  
**Subject:** RE: Setting up a meeting with Sally Painter and Ambassador Fried

Hi [REDACTED]

If it's easier Sally is available the afternoon's of the 29<sup>th</sup> and 30<sup>th</sup>,

Thanks again,

Gabriella

---

**From:** [REDACTED]  
**Sent:** Friday, May 16, 2014 11:19 AM  
**To:** Gabriella Ippolito  
**Cc:** Sally Painter  
**Subject:** RE: Setting up a meeting with Sally Painter and Ambassador Fried

I will confirm a date/time shortly, but I believe that Ambassador Fried will be on travel the first week in June. Please standby. Thanks.

[REDACTED]

[REDACTED]  
*Executive Assistant to Ambassador Daniel Fried,  
Coordinator for Sanctions Policy - D/CSP  
U.S. Department of State  
ATSG, LLC - Contractor  
(202)647-3893*

---

**From:** Gabriella Ippolito [<mailto:Gabriella.Ippolito@bluestarstrategies.com>]  
**Sent:** Thursday, May 15, 2014 5:12 PM  
**To:** [REDACTED]  
**Cc:** Sally Painter  
**Subject:** RE: Setting up a meeting with Sally Painter and Ambassador Fried

Dear [REDACTED]

Sally asked me to coordinate a time for her and Ambassador Fried to meet. Would the Ambassador be available for a half hour meeting during the first week of June? If so, could you suggest some times that work with his schedule?

Thank you,

Gabriella

Gabriella Ippolito  
Blue Star Strategies

(+1) 202-650-5463 direct  
(+1) 202-822-9088 fax  
[gabriella.ippolito@bluestarstrategies.com](mailto:gabriella.ippolito@bluestarstrategies.com)

888 17th Street NW, Suite 800  
Washington, DC 20006

[www.bluestarstrategies.com](http://www.bluestarstrategies.com)

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**From:** Fried, Daniel [<mailto:> ██████████]  
**Sent:** Thursday, May 15, 2014 12:31 PM  
**To:** Sally Painter  
**Cc:** ██████████  
**Subject:** RE: Connecting

Happy to do so as well!

---

**From:** Sally Painter [<mailto:Sally.Painter@bluestarstrategies.com>]  
**Sent:** Thursday, May 15, 2014 12:29 PM  
**To:** Fried, Daniel  
**Cc:** ██████████  
**Subject:** Re: Connecting

And how about meeting me? S

Sent from my BlackBerry 10 smartphone.

---

**From:** Fried, Daniel  
**Sent:** Thursday, May 15, 2014 12:14 PM  
**To:** 'Sally.Painter@bluestarstrategies.com'  
**Cc:** ██████████  
**Subject:** Re: Connecting

Sure, I'll see the Slovenian, if I'm around. ██████████ can set up.

---

**From:** Sally Painter [<mailto:Sally.Painter@bluestarstrategies.com>]  
**Sent:** Thursday, May 15, 2014 12:10 PM  
**To:** Fried, Daniel  
**Subject:** Connecting

Dear Dan,

Greetings and I hope this note finds you well. I was very humbled to be honored with you, Senator Lugar and Ian. A wonderful night for me and what a good team we all were.

I am writing you today to see if you would have time in your busy schedule (30 minutes) to meet Marko Makovec, the Foreign Policy advisor to the President of Slovenia when he is here on the

Department of State's International Diplomat's program. Marko is one of the best and brightest in Slovenia and a dear friend as well. He arrives on June 6<sup>th</sup> for a week. I know there were things with Gitmo but alas, things move on.

Below is an email and background on Marko.

I also have another project I would like to discuss at your convenience on Ukraine. I left a message at your office. Many thanks in advance for your consideration.

warmest regards,  
sally

Sally Painter  
Blue Star Strategies

(+1) 202-833-1268 direct  
(+1) 202-822-9088 fax  
[sally.painter@bluestarstrategies.com](mailto:sally.painter@bluestarstrategies.com)

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Washington, DC 20006

[www.bluestarstrategies.com](http://www.bluestarstrategies.com)

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**From:** [Marko.Makovec](mailto:Marko.Makovec) [mailto: ]

**To:** Sally Painter

**Subject:** Re: two articles on Ukraine

Dear Sally,

As we spoke over the phone the other day I'm sending you my brief bio and a few main points I'd like to raise or discuss with respected guests:

1. Ukraine; political, security and economic aspects of the tensions in Ukraine and the relations with Russian Federation;
2. The Future integration of the European Union (including also the political aspect of Enlargement as parallel process) – the phenomena of euro-scepticism, the importance of TTIP,..;

3. Slovenija: its challenges and opportunities in the changing European union;
4. Western Balkans:
  - a) possible spill over effect of destabilisation from Ukraine to BiH – namely the protest in Maidan squar has started bcause of social sitation and corrouption the same as in BiH, which is also quit fragile in this moment (taking intro account the Russian element in Republika Srpska)
  - b) Initiatives of regional cooperation in Western Balkans such as Brdo Process
5. Energy Security in the context of the tensions with the Russian Federation

Best,

Marko

\*\*\*



Marko Makovec is a Foreign Policy Advisor to the President of the Republic of Slovenija, HE Borut Pahor.

After joining the Office of the President he served as Principle Foreign Policy Advisor to the Prime Minister of Slovenija. As Principle Foreign Policy advisor he covered entire bilateral and multilateral foreign relations with the special emphasis on the economic diplomacy. During his term in the Prime Minister's Office, he also acted as the main negotiator for the Arbitration Agreement for the boarder issue with Croatia, Strategic partnership with France and Declaration on enhanced relation with Germany. He has also initiated several initiatives in the Western Balkans region, such as Brdo process. In the area of European Policies he held the position of the Sherpa of the Prime Minister to the EU and negotiated the Fiscal Pact for the Government of the Republic of Slovenija, since.

In 2008, before joining the Prime Minister's Office he acted as the Head of the Department for Western Balkans and Enlargement at the Ministry for Foreign Affairs of the Republic of Slovenija.

Previously he served in Brussels as the National Advisor to the Working Party for Western Balkans at the Council of the EU.

From 2004-2006 he acted as the advisor the Director General for International Law and protection of Interests at the Ministry for Foreign Affairs. At the period he dealt also with the working party COJUR (transatlantic dialogue).

Before joining Ministry for foreign Affairs in 2003, he worked at the Institutes ISCOMET and ECERS where he dealt with human right, minority rights and regional cooperation in the EU/The Council of Europe.

MARKO MAKOVEC  
Svetovalec predsednika republike za zunanje zadeve  
Foreign Policy Adviser to the President of the Republic of Slovenia



URAD PREDSEDNIKA REPUBLIKE SLOVENIJE  
Office of the President of the Republic of Slovenia  
Erjavčeva cesta 17, SI-1000 Ljubljana, Slovenija  
Telefon: +386 1 478 1317, faks: +386 1 478 1357  
e-naslov: marko.makovec [REDACTED]

Od:	"Sally Painter" < <a href="mailto:Sally.Painter@bluestarstrategies.com">Sally.Painter@bluestarstrategies.com</a> >
Za:	< <a href="mailto:Marko.Makovec">Marko.Makovec</a> > [REDACTED]
Datum:	15.04.2014 18:14
Zadeva:	two articles on Ukraine



The Honorable Ron Johnson  
Chairman  
U.S. Senate Committee on Homeland  
Security and Governmental Affairs  
328 Hart Senate Office Building  
Washington, DC 20510

The Honorable Charles E. Grassley  
Chairman  
U.S. Senate Committee on Finance  
135 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Johnson & Chairman Grassley:

I have received your letter dated December 3, 2019 requesting certain information from Blue Star Strategies, LLC (Blue Star Strategies).

Blue Star Strategies is a small, woman owned government and public affairs firm co-founded by Sally Painter and me.<sup>1</sup> This year marks Blue Star Strategies' 10<sup>th</sup> Anniversary. Prior to founding Blue Star Strategies, Sally Painter and I were partners in a bi-partisan government affairs firm, Dutko Worldwide. Dutko Worldwide's partners included Mark Irion, Ron Kaufman, Brad Card and Gary Andres – all well-known professionals in the government affairs sector. Sally Painter and I led the international business at Dutko Worldwide. In 2009, we decided to launch Blue Star Strategies.

Blue Star Strategies is unique in that the government and public affairs practice is exclusively international. We assist foreign entities (public and private) by providing an array of government and public affairs services. From time to time, those services include advocacy before government agencies, including the U.S. government. We also assist U.S. private, commercial enterprises in Europe, Eurasia and throughout Latin America.

As early as 2002, the founders of the firm began working with Eastern European countries and countries formerly within the Union of Soviet Socialist Republics (USSR) to develop their strategic security plans to join the North Atlantic Treaty Organization (NATO). To achieve that end, we worked closely with the Bush Administration and other Members of the NATO Alliance and saw several countries – including Bulgaria, Latvia and Estonia – be accepted into NATO. In 2004, again in collaboration with the Bush Administration, we began our work in Ukraine – initially to see the fraudulent 2005 election overturned, and Viktor Yushchenko elected President of Ukraine.

I outline our history so that you would understand Blue Star Strategies' track record of achieving positive results for governments and private enterprises from Eastern European and former USSR countries. Based

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<sup>1</sup> A third individual, Gabriel Zinny was a minority shareholder at the time of the company's founding. Mr. Zinny is no longer with the firm and was not at the firm during the firm's work with Burisma.



on our success, we receive referrals from current and former clients, colleagues, and other professionals when they believe we have the expertise to provide the services required. Burisma is among several clients referred to our firm. Given the questions raised in your letter, I note that Hunter Biden did not refer Burisma to the firm.

The firm continues to work in the private and public sectors in Central and Eastern Europe, the Baltics, the Balkans, and the Caucasus regions and throughout Latin America.

We were engaged by Burisma in November 2015 to provide a range of government, public affairs, and legal services. The U.S. component of our work has focused on fact-finding as outlined below, partnerships with private institutions, and discussions with appropriate government and non-governmental organizations regarding Ukraine's energy security needs. In Ukraine, we provide legal advice and public affairs services. Burisma continues as a client of the firm.

Your letter asserts several claims referenced primarily to two media sources: the Washington Examiner and The Hill. It is important to inform the Committees that the assertions made, and the conclusions drawn from those assertions, are incorrect. While Sally Painter and I met Mr. Amos Hochstein, it was not "to convince Hochstein. . .that Burisma was on the level and did not warrant further investigation," as stated in your letter. The initial meeting with Mr. Hochstein was to understand his and the State Department's position regarding an independent energy company, Burisma. At that meeting we learned Mr. Hochstein's view – although it was not stated to be the State Department's view. There was a subsequent meeting with Mr. Hochstein that included Burisma's U.S. counsel, John Buretta. While Sally Painter attended the meeting, the counsel led the briefing. The first meeting with Mr. Hochstein was on December 10, 2015. The second meeting was on March 24, 2016.

The second incorrect assertion is that I leveraged Hunter Biden's name for a meeting with then Under Secretary of State Catherine Novelli. To substantiate that claim, your letter references a note written by someone presumably in the State Department. The note was not written by me. The fact is, I have known Catherine Novelli for over two decades and did not need to use anyone's name – including Hunter Biden's – to obtain a meeting. Ms. Novelli agreed to the meeting at my request. The purpose of the meeting was to understand the State Department's position regarding Burisma, as well as how the State Department came to that position. The date of the meeting was March 1, 2016.<sup>2</sup>

Although not referenced in the Committees' letter, as part of our fact-finding Sally Painter and I had meetings with State Department professionals<sup>3</sup> in Washington, DC and at the U.S. Embassy in Kyiv wherein Burisma was mentioned. During a trip to Kyiv, we requested a meeting with Ambassador Geoffrey Pyatt to discuss several issues, one of which included understanding how he came to his

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<sup>2</sup> John Buretta, Burisma's U.S. Counsel attended the meeting and briefed Undersecretary Novelli.

<sup>3</sup> Prior to meeting Ambassador Pyatt, we had two professional staff meetings at the U.S. Embassy in Kyiv. On December 14, 2015 we met William Laitinen, Economic Counselor at the Embassy, to understand his view of Ukraine's economic situation. The meeting had not been scheduled to discuss Burisma as we had several other corporate clients interested in Ukraine's economic situation. To be fully transparent, we disclosed that we were working with Burisma and inquired as to his views of the company. Also, on December 14, 2015 we met USAID Representative Steve Gonyea to understand USAID's decision-making process. Burisma had offered to assist USAID during a gas shortage in regions under Russian attack and we were inquiring about the decision to decline the company's assistance.





position about Burisma.<sup>4</sup> A year later, we met Ambassador Marie Yovanovitch to discuss a variety of issues – Burisma was raised in our discussions. As it related to Burisma, the purpose of the meeting was to understand whether Ambassador Yovanovitch held the same view of Burisma as Ambassador Pyatt. The meeting with Ambassador Pyatt was on December 16, 2015. The meeting with Ambassador Yovanavitch was on December 8, 2016.

On December 14, 2016 we met Reggie Singh, Ukraine Desk Officer, to discuss economic and energy security in Ukraine and the role of independent gas companies such as Burisma<sup>5</sup>. On November 2, 2017 we met Andrea Lockwood, Deputy Assistant Secretary of International Affairs at the Energy Department, to discuss the role independent gas companies such as Burisma could play to better ensure energy security in Ukraine.

Burisma purchases extraction and other equipment from several U.S. companies. The cost of this specialized equipment exceeds \$80 million over 5 years. As a result of the Trump Administration’s focus on U.S. jobs, we met officials at the Departments of State and Commerce who were interested in foreign company purchases from U.S. manufacturers that resulted in job creation. At the State Department we met Melissa Simpson, then Acting Deputy Assistant Secretary, and Brian DaRin. The State Department meeting was held on November 21, 2018. At the Department of Commerce, we met Matthew Edwards, Director, and Boris Chumuk, Desk Officer, of the Office of Russia, Ukraine & Eurasia to discuss Burisma’s U.S. equipment purchases. The Department of Commerce meeting was held on November 27, 2018. Among several recommendations from that meeting was to meet Charles Phillips, Deputy Senior Commercial Officer and Heather Bell, Director from the Department of Energy at the U.S. Embassy in Kyiv. The meeting with Mr. Phillips and Ms. Bell meeting took place on February 19, 2019.

We had no meetings related to Burisma at the Executive Office of the President or the Office of the Vice President during the Obama Administration.

In response to your request outlined in item #2 of your letter, we include an appendix (Appendix A)<sup>6</sup> containing records between Blue Star and U.S. officials specifically related to Burisma. Due to the Confidentiality clause and the Client Work Product Ownership clause of the binding contract between Blue Star Strategies and Burisma, we are unable to provide copies of documents requested in item #1b of your letter.

During my meetings in Ukraine with Ukrainian officials, I was working in my capacity as “Of Counsel” to Burisma in collaboration with Burisma’s U.S. counsel, John Buretta. Due to the nature of those meetings, disclosure of the discussions would be a breach of client confidentiality and the attorney-client privilege.

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<sup>4</sup> Ambassador Pyatt had been sharply critical of Burisma in one of his official public speeches in his capacity as the U.S. Ambassador to Ukraine.

<sup>5</sup> Mr. Singh included colleagues from the State Department’s Economics office. We have no record of the attendees.

<sup>6</sup> The records include records for meetings that occurred, and records for meetings requested that did not occur. We have indicated the dates of those meetings that did occur in the letter. Where the records refer to a discussion of issues unrelated to Burisma we have redacted the reference. Where the records specifically identify a Burisma representative we have redacted the name to adhere to the confidentiality clause in our agreement.





Finally, I want to assure the Committees' Chairmen that at no time did I or anyone else in the firm working on behalf of Burisma collaborate or coordinate the development or implementation of our work with Hunter Biden. We had no discussions or meetings with Mr. Biden regarding our contractual agreement with Burisma or Blue Star Strategies' terms of engagement. Mr. Biden played no role in Blue Star Strategies' work on behalf of Burisma – either in its limited scope in the U.S. or its more extensive scope in Ukraine. Mr. Biden has no role in Blue Star Strategies and holds no financial interest in Blue Star Strategies.

The information provided in this letter is based on the firm's best recollection and after a review of our records.<sup>7</sup> Consistent with recommendations from the IRS we retain records, including client records, for a period of 5 years. We will continue to preserve records relevant to this inquiry.

I trust that this letter responds to your inquiry.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Tramontano", written over a horizontal line.

Karen Tramontano  
Chief Executive Officer  
Blue Star Strategies, LLC

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<sup>7</sup> Earlier this year, Blue Star Strategies embarked on an office renovation that included major changes in our telecommunications and computer systems. While we are confident that the search of our records has resulted in producing records responsive to your inquiry major systems changes have their challenges.



## Pero Jolevski

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**From:** Pero Jolevski  
**Sent:** Friday, December 11, 2015 4:54 PM  
**To:** Stephen Gonyea  
**Subject:** RE: Meeting next week

Ok, will give you a buzz over the weekend. Have a good night!

---

**From:** Stephen Gonyea [mailto:sgonyea@usaid.gov]  
**Sent:** Friday, December 11, 2015 4:52 PM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** Re: Meeting next week

I don't want to be in a position of knowing something that I can't share with the ambassador. :) Not a good career move. Let's talk over the weekend. I'm going to sleep!

**Steve Gonyea Director/EG Office | USAID/Ukraine (From U.S. - 301.985.8659 ext 5494)**

---

On Dec 11, 2015, at 23:30, Pero Jolevski <Pero.Jolevski@bluestarstrategies.com> wrote:

I totally understand – but I think we are changing strategies. I am not sure what their talking points are for the meeting but will leave it up to them on what they will talk about at the Embassy. I can confidentially brief you over the phone. Let me know when you have 5 minutes to talk.

---

**From:** Stephen Gonyea [mailto:sgonyea@usaid.gov]  
**Sent:** Friday, December 11, 2015 4:23 PM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** Re: Meeting next week

IMHO, this would be a VERY bad move to not mention this. Burisma and linkages, good and bad, as you know, have been a major news story and hugely politicized issue, especially during the recent visit. It's been used in attempts to criticize US policy and embarrass the Ambassador. Honesty would be the best policy. Seriously.

---

**Steve Gonyea Director/EG Office | USAID/Ukraine (From U.S. - 301.985.8659 ext 5494)**

On Dec 11, 2015, at 19:01, Pero Jolevski <Pero.Jolevski@bluestarstrategies.com> wrote:

Apparently the pool is nice ☺

Ok so I'll tell them that you will meet them after Chip. BTW – Chip doesn't know anything about our work with Burisma and they will probably not mentioning anything to him about it.

**From:** Stephen Gonyea [mailto:sgonyea@usaid.gov]  
**Sent:** Friday, December 11, 2015 11:34 AM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** Re: Meeting next week

Yes at the embassy.

Well Premier is a nice Russian owned hotel. :)

---

On Dec 11, 2015, at 18:31, Pero Jolevski <Pero.Jolevski@bluestarstrategies.com> wrote:

Yes, meeting with Chip on Monday at 4 pm so after that will work. Is your office at the Embassy?

They are staying at Premier Palace Hotel

---

**From:** Stephen Gonyea [mailto:sgonyea@usaid.gov]  
**Sent:** Friday, December 11, 2015 11:27 AM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** Re: Meeting next week

So your meeting with Chip is Monday? I may be called in on it too. If so then after that is fine. Maybe I can bring them back to the center. Have them a hotel yet?

**Steve Gonyea Director/EG Office | USAID/Ukraine (From U.S. - 301.985.8659 ext 5494)**

On Dec 11, 2015, at 18:18, Pero Jolevski <Pero.Jolevski@bluestarstrategies.com> wrote:

Monday. Sorry. Tuesday works too

---

**From:** Stephen Gonyea [mailto:sgonyea@usaid.gov]  
**Sent:** Friday, December 11, 2015 11:17 AM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** Re: Meeting next week

Uh, on which day?

**Steve Gonyea Director/EG Office | USAID/Ukraine (From U.S. - 301.985.8659 ext 5494)**

1355024

On Dec 11, 2015, at 17:23, Pero Jolevski  
<[Pero.Jolevski@bluestarstrategies.com](mailto:Pero.Jolevski@bluestarstrategies.com)> wrote:

Hi Steve,

What is a good time for you to meet Karen and Sally next week. They have a 4 pm meeting with Chip from the Embassy. Would sometime before or after that work with you?

I'll send you a full list of their meetings later today.

Pero

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## The White House

Office of the Vice President

For Immediate Release

December 09, 2015

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# Remarks by Vice President Joe Biden to The Ukrainian Rada

The Rada

Kyiv, Ukraine

11:58 A.M. (Local)

THE VICE PRESIDENT: Thank you. What a great honor for me to be able to represent my country before such an august audience.

Mr. President, Mr. Prime Minister, Mr. Chairman, members of the Rada, ladies and gentlemen, I am deeply honored to be invited to speak to you today at a moment marked by great opportunity, as well as great uncertainty for the people of Ukraine. The stakes for your country and the expectations of your people have never been higher because Ukraine, as you know better than I, has been here before.

In the West, as here we remember, the Orange Revolution -- young men and women who filled the Maidan a decade ago demanding that their voices and their votes both be respected. They refused to back down in the face of rigged elections, and they succeeded.

But as history tells us and shows, and as we know, Ukraine's leaders proved incapable of delivering on the promise of democratic revolution. We saw reforms put in place only to be rolled back. We saw oligarchs uninterested in change ousted from power only to return. Reformers persecuted, thrown in prison as political retribution. And the bright flame of hope for a new Ukraine snuffed out by the pervasive poison of cronyism, corruption, and kleptocracy.

Nearly a decade later, that flame of hope was reignited by thousands of brave Ukrainians, some of you in this room, storming the Maidan, demanding a Revolution of Dignity. The world was transfixed. This time they were not going to be denied the future that so many of your country have longed for, for so long.

And the world was horrified when peaceful patriots were met by violence. They stayed at the Maidan day and night, facing down the Berkut in riot gear. For the first time since the Middle Ages, the bells of St. Mary [\*sic] raised the alarm, calling the citizens of Ukraine to reinforce their brothers and sisters on the Maidan. Tens of thousands heeded the call bringing with them food, clothing, blankets, medical supplies, and their support. As the world watched -- and I was literally on the phone with your former President urging restraint -- as the world watched, the final assault came. Amidst fire and ice, snipers on rooftops, the Heavenly Hundred paid the ultimate price of patriots the world over. Their blood and courage delivering to the Ukrainian people a second chance for freedom. Their sacrifice -- to put it bluntly -- is now your obligation.

You have a historic opportunity to be remembered as the Rada that finally and permanently laid in place the pillars of freedom that your people have longed for, yearned for, for so many years.

I need not tell you this is a joint responsibility. The President, the Prime Minister, the members of this august body -- all of you must put aside parochial differences and make real the Revolution of Dignity.

My country, too, was born of revolution. But the battle for our independence was underway well before the first shots were fired. It began when men of conscience stood up in legislative bodies representing every region in what was then Colonial America -- Massachusetts, Pennsylvania, Virginia, very different interests -- and declared in each of their regions the inherent rights of free people in different documents, in different language -- but the inherent right to be free.

They took a vast continent and a diverse people -- what John Adams, one of our Founding Fathers and future Presidents once said -- called "an unwieldy machine". And they molded that unwieldy machine into a united representative democracy where people saw themselves as Americans first and citizens of their region second.

But our union remained imperfect, our democracy incomplete. Seventy years later we went through a second testing during the American Civil War, which nearly tore our still young country asunder. Winning on the field of battle wasn't sufficient to unite our country. To end slavery and the regional differences we had, to grant former slaves citizenships and rights, the United States Congress assembled -- had to amend our Constitution.

Individual members of that Congress lost their jobs standing up to do the right thing. Everyone took real political risks to overcome entrenched opposition for the good of achieving a truly United States of America.

In the end, it came down to extraordinary patriots -- individuals putting their personal needs behind the needs of their nation, their narrow interest behind unity.

Ladies and gentlemen, I believe the President, the Prime Minister, every member of this body now faces a similar test of courage.

To quote an early American patriot, Thomas Paine, "These are the times that try men's souls." These are the times that try men's souls.

This is your moment. This is your responsibility. Each of you -- if you'll forgive me for speaking to you this way in your body -- each of you has an obligation to seize the opportunity that the sacrifices made in the Maidan, the sacrifices of

the Heavenly Hundred. Each of you has an obligation to answer the call of history and finally build a united, democratic Ukrainian nation that can stand the test of time.

Edmund Burke said it best in 1774, speaking to his constituency in Bristol, England. Here's what he said: "Parliament is a deliberative assembly of one nation, with one interest -- that of the whole; where not local purpose, not local prejudice ought to guide, but the general good."

I respectfully suggest this is a standard for which each of you will be judged. This is the standard by which your grandchildren and great grandchildren, your progeny will judge whether or not you had the moral courage to put the general good above local prejudice. And this is all within your power. It's within your hands. Nobody else's -- yours.

You can bend the arc of history of this nation toward greater justice and opportunity for the Ukrainian people, and you can do it now.

I've had the great privilege and opportunity afforded to me by all of you over the past two years to meet with representatives representing all sectors of this country -- east and west, including the illegally occupied Crimea -- from all walks of life -- civil society, members of this body, your military leaders, your clergy. I've met with souls who stood on the Maidan -- some of you are now in this chamber -- a place which I visited yesterday. All one has to do is look at the photographs of the Heavenly Hundred at that spontaneously erected monument where I stood yesterday. Just look at the photographs. This is not hyperbole. I'm not trying to be unduly -- this is real. As a foreigner, all I have to do is look at the photographs. See the photographs of young men as early as their early 20s to those in their early 80s. Every one of them were joined in common purpose, a Revolution of Dignity.

My father had an expression he repeated a thousand times growing up: Every man and woman is entitled to be treated with dignity. Everyone. That's what your new revolution was about: dignity.

And those martyrs still give voice to the timeless ideals and the timeless ideas, the universal values that unite free people all around the world. I visited every part of this world. There's fewer than a handful of countries I've not been in. I've traveled over 1.3 million miles just since being Vice President. The whole world is watching you. That's a fact. They're watching you because their hopes for your success as you fight both the unrelenting aggression of the Kremlin and the cancer of corruption will impact on them.

In both these struggles you have the unwavering support of the United States of America and the American people -- including nearly 1 million proud Ukrainian Americans. You have the united support of Europe -- Western, Central, and Eastern Europe -- all invested in your democratic success because your success goes to the heart of an enduring commitment to a Europe whole, free, and at peace. If you fail, the experiment fails. It is no exaggeration to say that the hopes of freedom-loving people the world over are with you because so much rides on your fragile experiment with democracy succeeding.

It's equally important, by the way, for aggressors around the world to understand that they can't use coercion, bribery, sending tanks and men across a border to extinguish the dreams and hopes of a people. For if you succeed, that message is sent around the world.

The President asked me back in the late winter, 2009, to come to Europe to speak at the Munich Conference to lay out the principles that would guide our administration; the fundamental elements of American foreign policy under the Obama-Biden administration. And what I said then I will repeat now. I said, we will not recognize any nation having a sphere of influence. Sovereign states have the right to make their own decisions and choose their own alliances. Period. Period. (Applause.)

In the 21st century, nations cannot -- and we cannot allow them to redraw borders by force. These are the ground rules. And if we fail to uphold them, we will rue the day. Russia has violated these ground rules and continues to violate them. Today Russia is occupying sovereign Ukrainian territory. Let me be crystal clear: The United States does not, will not, never will recognize Russia's attempt to annex the Crimea. (Applause.) It's that saying -- that simple. There is no justification.

And as Russia continues to send its thugs, its troops, its mercenaries across the border, Russian tanks and missiles still fill the Donbas. Separatist forces are organized, commanded and directed by Moscow -- by Moscow. (Applause.)

So the United States will continue to stand with Ukraine against Russian aggression. We're providing support to help and train and assist your security forces, and we've relied on and rallied the rest of the world to Ukraine's cause.

I have spent hours -- as the President has -- talking to heads of state in Europe and around the world, making it clear that one of the tests for whether or not they are our allies is are they allied with your purpose.

America and Europe now stand together united in our commitment to impose tough economic sanctions on Russia. And while Russian aggression persists, the cost imposed on Moscow will continue to rise. The false propaganda that the Kremlin is disseminating in an attempt to undermine Ukraine and fracture Europe's resolve will not work. No one should mistake saber rattling and bombast for strength. Let me say that again, no one should mistake saber rattling and bombast for real strength.

We're taking steps to bolster Europe's resilience to Russian coercive tactics. We are strengthening NATO as I speak, improving energy security as I speak, and attempting to help spur an economic revival throughout Europe.

The United States and Europe will maintain pressure until Moscow fulfills its commitments under the Minsk Agreement. While there has been some progress in deescalating the violence, there can be no sanctions relief unless and until Russia meets all of its commitments under the Minsk Agreement. (Applause.)

And I might add parenthetically, I don't think the Russian people fully understand what Putin is doing. That's why he spends so much time hiding at home the presence of Russian forces here in your country. Heavy weapons must be withdrawn from the frontlines. The OSCE must be granted full, unencumbered access. Russia must press the separatists to hold elections according to Ukrainian law and OSCE standards and disavow the illegal election that's just taken place. Hostages held by Russia and its proxies must be returned. Russian troops must leave. The Ukrainian side of the border must be returned to Ukrainian control. Unless all -- if they do all of that, and only if they do, Ukraine also has a responsibility it still has to fulfill -- including amnesty for those who have not committed capital offenses; granting devolved administration to the Donbas. But we've made it clear to Russia and the world that continued delay and foot-dragging is unacceptable. That includes elections in the Donbas. They can only go forward as stipulated under the Minsk Agreement. Full access to the media must be provided. Ukrainian political parties allowed to compete openly. Full and unobstructed OSCE election monitoring. Full voting rights for the people displaced from their homes in the Donbas and living elsewhere in Ukraine. And all weapons contained and kept under OSCE supervision. That only happens if Russia lives up to its commitments, if Russia does its part. If it does, then you must follow through with yours because this is the best chance to keep Donbas in Ukraine, end the conflict, and begin restoring Ukrainian sovereignty and territorial integrity. (Applause.)

It's hard. There's nothing easy about what you have to do. There's nothing easy. The pressure you will all get will be immense.

I'd like to also speak directly to the people in the Donbas. The alternative to what I just said is to continue to live under separatists thugs, criminals who deny humanitarian aid, keep out organizations like Doctors Without Borders, stealing lifesaving medicine to sell on the black market. That's not a future. That's not a future I believe any Ukrainian wants for their children.

That's why the Minsk Agreement needs to be implemented in full. And truly free and fair elections are exactly what the Kremlin fears the most. It's not just your territory they covet; it's your success that they fear. For if free elections occur, and the people determine, as I am confident they will, that they want to remain and integral part of Ukraine, that they are Ukrainians first, that's what Russia fears. That's what Putin fears.

Because as all of you know the struggle for Ukraine's freedom is not confined to the battlefields of the east. Constitutional reform that includes judicial reform and decentralization does not compromise your sovereignty. It enhances it. It's an important step to building a strong, new nation. And it's important to the Ukrainian-European future.

This issue of federalism is the thing that almost prevented our nation from coming into being. Autonomous independent states, their determination to have their own police forces, their determination to have their education system, to have their own government under the united Constitution.

But in addition, you also have a battle, a historic battle against corruption. Ukraine cannot afford for the people to lose hope again. The only thing worse than having no hope at all is having hopes rise and see them dashed repeatedly on the shoals of corruption.

And if the people resign themselves to exploitation and corruption for fear of losing whatever little they have left, that would be the death knell for Ukrainian democracy. We've taken so many critical steps already. But all of you know there's more to do to finish this race. Not enough has been done yet.

As the Prime Minister and the President heard me often say, I never tell another man or another nation or another woman what's in their interest. But I can tell you, you cannot name me a single democracy in the world where the cancer of corruption is prevalent. You cannot name me one. They are thoroughly inconsistent. And it's not enough to set up a new anti-corruption bureau and establish a special prosecutor fighting corruption. The Office of the General Prosecutor desperately needs reform. The judiciary should be overhauled. The energy sector needs to be competitive, ruled by market principles -- not sweetheart deals. It's not enough to push through laws to increase transparency with regard to official sources of income. Senior elected officials have to remove all conflicts between their business interest and their government responsibilities. Every other democracy in the world -- that system pertains.

Oligarchs and non-oligarchs must play by the same rules. They have to pay their taxes, settle their disputes in court -- not by bullying judges. That's basic. That's how nations succeed in the 21st century.

Corruption siphons away resources from the people. It blunts the economic growth, and it affronts the human dignity. We know that. You know that. The Ukrainian people know that. When Russia seeks to use corruption as a tool of coercion, reform isn't just good governance, it's self-preservation. It's in the national security interest of the nation.

Russia is trying to undermine the stability and sovereignty of Ukraine any way they can't, including squeezing Ukraine financially, trying to undermine your economy. They view that as a cheaper way than sending tanks across the line of contact.

So Ukraine must be strong enough to choose its own future, strongly. Strong defensively. Strong economically. A strong system of democratic governance.

The United States is with you in this fight. We understand we're with you afar. It's much harder for you than it is for us. We've stepped up with official assistance to help backstop the Ukrainian economy. We've rallied the international community to commit a total of \$25 billion in bilateral and multilateral financing to support Ukraine. It includes \$2 billion in U.S. loan guarantees and the possibility of more.

Yesterday I announced almost \$190 million in new American assistance to help Ukraine fight corruption, strengthen the rule of law, implement critical reform, bolster civil society, advance energy security. That brings our total of direct aid to almost \$760 million in direct assistance, in addition to loan guarantees since this crisis broke out. And that is not the end of what we're prepared to do if you keep moving.

But for Ukraine to continue to make progress and to keep the support of the international community you have to do more, as well. The big part of moving forward with your IMF program -- it requires difficult reforms. And they are difficult. Let me say parenthetically here, all the experts from our State Department and all the think tanks, and they come and tell you, that you know what you should do is you should deal with pensions. You should deal with -- as if it's easy to do. Hell, we're having trouble in America dealing with it. We're having trouble. To vote to raise the pension age is to write your political obituary in many places.

Don't misunderstand that those of us who serve in other democratic institutions don't understand how hard the conditions are, how difficult it is to cast some of the votes to meet the obligations committed to under the IMF. It requires sacrifices that might not be politically expedient or popular. But they're critical to putting Ukraine on the path to

a future that is economically secure. And I urge you to stay the course as hard as it is. Ukraine needs a budget that's consistent with your IMF commitments.

Anything else will jeopardize Ukraine's hard-won progress and drive down support for Ukraine from the international community, which is always tenuous. It's always tenuous. We keep pushing that support.

The Ukrainian people have long struggled to direct their own destinies, to carve out a place besides the mighty Dnipro, to claim their own identity, proud and distinct.

A great poet Taras Shevchenko wrote verse after verse declaiming the spirit of Ukraine, urging his fellow Ukrainians rise up and claim their liberty. His poem "The Testament" ends with this reflection. And I quote:

Then, in the mighty family

Of all men that are free,

May be sometimes, very softly

You will speak of me?

May be sometimes very softly you will speak of me. (Applause.)

Ladies and Gentlemen, I will speak of Ukraine. I will speak of the writer who took a beating on the Maidan to put him in the hospital. When asked why he sustained those injuries, why he was willing to endure it, he wrote: "People who don't protest injustice, they have no future."

I will speak of the young mother who gave up a lucrative career working on government reform. And then when asked why, she replied: "I have two small children and I cannot fight in the east. So this is what I can do for my country." (Applause.)

I will speak up for the university student who handed out food on the Maidan and later spoke about how those months changed. She said: "Now people don't think about what Ukraine can give them but about what they can give Ukraine."

I will speak of the men and women of this institution, a freely elected representative body of the people. I will speak of the sacrifices you've made. Nadiya Savchenko, the pioneering Ukrainian helicopter pilot who was elected to the Rada, despite being unjustly imprisoned in [sic] to this day. I will speak of her bravery, and many others will, as well. I will speak about how it's up to all of you to ensure the people of this land, once and for all -- that mighty family of all men that are free.

Ukraine's moment. It may be your last moment. Please for the sake of the rest of us, selfishly on my part, don't waste it. Seize the opportunity. Build a better future for the people of Ukraine.

There was a famous American politician when I was a young senator. He was in the other party -- very different ideology. But he said -- once in response to a question, he said, in your heart, in your heart, you know it's right. In your heart, you know what's right. You know. Do it. As long as you remain on that path, as long as you honor the obligation to the Ukrainian people, you never have to worry or doubt America and the United States will be by your side.

I hesitated to come to make this speech. The reason I did is not because a lack of affection for your country. But as a man who sat where you're sitting for 36 years as a United States senator, sometimes when a foreign leader would come to speak, I resented when he or she appeared to lecture us. I hope I don't come across as hectoring or lecturing you. Because that's not my intention. I just have -- as a fellow human being, I just have such hope in the promise of what you could deliver. It will spread far beyond the borders of Ukraine.

I used to wonder as a young senator when I first stood up on the Senate floor, and I've never been frightened of standing and speaking, I stood up and all of a sudden I realized that my desk is exactly where a senator, Daniel Webster, spoke from. I mean this sincerely. And for the first and only time in my career, I was seized with, my God, one of the great men in our history stood in this spot. And I wondered what it'd have been like to be in that first Congress that gave us our freedom, created what I consider to be a great and decent nation. Well, that's where you are. It's not hyperbole. That's

where each of you sit. If you succeed, you will be the founders of the first truly free, democratic, united Ukraine. An awesome responsibility, but what an incredible, incredible opportunity to serve your country.

Thank you so much for this opportunity to speak to you today. May God bless our two great nations and may God protect our troops. (Applause.)

END

12:33 P.M. (Local)

\*St. Michael's



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## Pero Jolevski

---

**From:** Karen Tramontano  
**Sent:** Thursday, February 18, 2016 8:00 AM  
**To:** Pero Jolevski  
**Subject:** Fwd: Need your advice

see below. please follow up with her office. thanks

---

Sent from my iPhone

Begin forwarded message:

**From:** "Novelli, Catherine A" <NovelliCA@state.gov>  
**Date:** February 18, 2016 at 7:48:00 AM EST  
**To:** Karen Tramontano <Karen.Tramontano@bluestarstrategies.com>  
**Cc:** "Dodman, Michael J" <DodmanMJ@state.gov>, "Thomas, Anita Y" <ThomasAY@state.gov>  
**Subject:** Re: Need your advice

---

Hi Karen,

Happy to meet with you. Copying Anita Thinas who can make it happen on my schedule

Best,  
Cathy

Sent from my iPhone

On Feb 18, 2016, at 7:42 AM, Karen Tramontano  
<Karen.Tramontano@bluestarstrategies.com<mailto:Karen.Tramontano@bluestarstrategies.com>>  
wrote:

<image001.gif>

Dear Undersecretary Novelli:

I have requested a meeting to discuss a matter on which I need your advice. I spoke to Michael Tracton in your office yesterday to explain my reason for asking for a meeting. Essentially, the U.S. government has taken a position in a commercial matter regarding a Ukrainian individual and I believe the position is in error. I would like to give you a briefing and ask your advice in this matter. We are reaching out to your office and hopefully we could arrange a meeting in the upcoming week. Thank you in advance for your time.

Best regards

Karen

1355089

Karen A. Tramontano

Blue Star Strategies

<image002.png>

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BSS030



## Sally Painter

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**From:** Sally Painter  
**Sent:** Tuesday, March 15, 2016 12:04 PM  
**To:** Pero Jolevski  
**Cc:** Karen Tramontano; Sean Keeley  
**Subject:** Re: Speeches: Ukrainian Reforms Two Years After the Maidan Revolution and the Russian Invasion

Thanks. Draft note to Vadym at Burisma.

Sent from my iPhone

On Mar 15, 2016, at 8:45 AM, Pero Jolevski <[Pero.Jolevski@bluestarstrategies.com](mailto:Pero.Jolevski@bluestarstrategies.com)> wrote:

From Nuland's testimony:

### **What Ukraine Must Do**

The 2016 U.S. assistance program is designed to support all these priorities. Specifically, we will support Ukraine as it takes steps to:

1. Clean up its energy sector by passing legislation to establish an Independent Energy Regulator, reduce unsustainable energy subsidies, and accelerate de-monopolization of the gas market, efficiency of procurement and revenue management, and the unbundling of services;
2. Appoint and confirm a new, clean Prosecutor General, who is committed to rebuilding the integrity of the PGO, and investigate, indict and successfully prosecute corruption and asset recovery cases – including locking up dirty personnel in the PGO itself;
3. Improve the business climate by streamlining the bureaucracy, moving ahead with the privatization of the largest state-owned enterprises in a manner that meets international standards, and further recapitalizing and strengthening the banking system;
4. Strengthen judicial independence, including the certification, dismissal, and recruitment of judges;
5. Improve services and eliminate graft in key service areas that affect every Ukrainian: healthcare, education, and transportation; and
6. Modernize the Ministry of Defense, squeeze out corruption in logistics and supply chains, and move toward western standards of command and control and parliamentary oversight.

---

**From:** Max Gleichman [<mailto:mgleichman@gpg.com>]  
**Sent:** Tuesday, March 15, 2016 11:40 AM  
**To:** OSPC-Internal <[OSPC-Internal@gpg.com](mailto:OSPC-Internal@gpg.com)>  
**Subject:** FW: Speeches: Ukrainian Reforms Two Years After the Maidan Revolution and the Russian Invasion

---

**From:** "U.S. Department of State" <usstatebpa@subscriptions.fcg.gov>  
**Reply-To:** "usstatebpa@subscriptions.fcg.gov" <usstatebpa@subscriptions.fcg.gov>  
**Date:** Tuesday, March 15, 2016 at 11:36 AM  
**To:** Max Gleichman <mgleichman@gpg.com>  
**Subject:** Speeches: Ukrainian Reforms Two Years After the Maidan Revolution and the Russian Invasion

You are subscribed to Speeches, Remarks, Testimony (other than by the Secretary) for U.S. Department of State. This information has recently been updated, and is now available.

**Speeches: Ukrainian Reforms Two Years After the Maidan Revolution and the Russian Invasion**

*03/15/2016 11:09 AM EDT*

## **Ukrainian Reforms Two Years After the Maidan Revolution and the Russian Invasion**

Testimony  
Victoria Nuland  
Assistant Secretary, Bureau of European and Eurasian Affairs  
Statement Before the Senate Foreign Relations Committee  
Washington, DC  
March 15, 2016

---

*As prepared*

Thank you Chairman Corker, Ranking Member Cardin, members of this committee for the opportunity to join you today and for the personal investment so many of you have made in Ukraine's democratic, European future. Ukraine still has a long way to go to meet the aspirations of its people, but your bipartisan support, your visits to Ukraine, and the assistance you and your fellow members have provided have been essential to our policy.

Before I begin, let us take a moment to honor the sacrifice of Ukrainian pilot and Rada Deputy Nadiya Savchenko, who was seized in Ukraine in 2014, dragged across the Russian border and unjustly held and tried in Russia. Today, her hunger strike continues as the court in Rostov again delays announcement of its verdict. Nadiya's struggle is a stark reminder of the severe pressures and violence Ukraine continues to face even as it works to build a stronger, more resilient country for its citizens. I thank this Committee for its continued focus on Nadiya Savchenko and all Ukraine's hostages, and for the passage of Senate Resolution 52. We call on Russia to release her immediately, and return her to Ukraine and to her family before it's too late.

Like Nadiya, all across Ukraine, citizens are standing up and sacrificing for the universal values that bind us as a transatlantic community: for sovereignty, territorial integrity, human rights, dignity, clean and accountable government, and justice for all. The United States has a profound national interest in Ukraine's success, and with it, a more democratic, prosperous, stable Europe.

We have stood by Ukraine for more than two years as Russia has sought to stymie its democratic rebirth at every turn – with political pressure, economic pressure, and with unprecedented military aggression and violation of international law. Any set of leaders would be challenged to lead their country in this environment. Today, however, Ukraine's European future is put at risk as much by enemies within as by external forces. The oligarchs and kleptocrats who controlled Ukraine for decades know their business model will be broken if Maidan reformers succeed in 2016. They are fighting back with a vengeance, using all the levers of the old system: their control of the media, state owned enterprises, Rada deputies, the courts and the political machinery, while holding old loyalties and threats over the heads of decision-makers to block change.

Against this backdrop, Ukraine's leaders have been locked for months in a cycle of political infighting and indecision about how to restore unity, trust and effectiveness in the reform coalition, and reboot the government and its program. Every week that Ukraine drifts, reform is stalled, IMF and international support goes undispensed, and those inside and outside the country who preferred the old Ukraine grow more confident. More than 3 months ago, Vice President Biden spoke before Ukraine's Rada, its President and its Prime Minister and called on all of Ukraine's leaders to set aside their parochial interests, reminding them: "Each of you has an obligation to seize the opportunity of the sacrifices made in the Maidan, the sacrifices of the Heavenly Hundred. Each of you has an obligation to answer the call of history and finally build a united democratic Ukrainian nation that can stand the test of time."

The ability of the United States and the international community to continue to support Ukraine depends upon the commitment of its leaders to put their people and country first. All those who call themselves reformers must rebuild consensus behind a leadership team and an IMF- and EU-compliant program of aggressive measures to clean up corruption, restore justice, and liberalize the economy. With more unity and leadership, 2016 can and should be the year Ukraine breaks free from the unholy alliance of dirty money and dirty politics which has ripped off the Ukrainian people for too long. Without it, Ukraine will slide backwards once again into corruption, lawlessness, and vassal statehood.

It is precisely because Ukrainians have worked so hard, and come so far already, that their leaders must stay united and stay the course now. And it is because the reforms already taken are cutting into ill-gotten fortunes and cutting off avenues for corruption that the forces of revanche are fighting back. Here's the good news: since I last testified before this Committee five months ago, Ukraine has largely stabilized its currency; and is rebuilding its reserves; seen some modest growth in the economy; passed its first winter without relying on gas from Gazprom; approved a 2016 budget in line with IMF requirements; passed civil service reform to create competition and transparency; recruited a new corporate board for Naftogaz; broke its own record for greatest wheat exports; stood up an independent Anti-Corruption Bureau and Special Prosecutor; and, begun to decentralize power and budget authority to local communities to improve services and policies for citizens.

The very week in February that the current government survived a no-confidence vote, Rada deputies also approved five critical pieces of reform legislation to stay on track with IMF conditions and advance Ukraine's bid for visa-free travel with the EU, including laws on:

- ? Privatization of state owned enterprises;
- ? Improvements in corporate governance of state owned enterprises;
- ? Asset seizure and recovery;

- ? The appointment process for anti-corruption prosecutors; and,
- ? Mandatory asset disclosure for public officials, which the President just sent back to the Rada with several fixes.

U.S. assistance has been critical to these efforts. Since the start of the crisis, the United States has committed over \$760 million in assistance to Ukraine, in addition to two \$1 billion loan guarantees. U.S. advisors serve in almost a dozen Ukrainian ministries and localities and help deliver services, eliminate fraud and abuse, improve tax collection, and modernize Ukraine's institutions.

- ? With U.S. help, newly-vetted and trained police officers are patrolling the streets of 18 cities;
- ? In court rooms across Ukraine, Free Legal Aid attorneys, funded by the U.S., have regained their credibility and won 2/3 of all acquittals in Ukraine in 2015.
- ? Treasury and State Department advisors embedded in Ukraine's National Bank and related institutions helped Ukraine shutter over 60 failed banks out of 180 and protect assets.
- ? The U.S. and our EU partners are supporting privatization, freeing up about \$5 billion in Ukraine's coffers and pushing the largest state-owned enterprise, Naftogaz, to form an independent supervisory board that operates without interference.
- ? And, since there can be no reform in Ukraine without security, over \$266 million of our support has been in the security sector, training nearly 1200 soldiers and 750 Ukrainian National Guard personnel and providing: 130 HMMWVs, 150 thermal goggles and 585 night vision devices, over 300 secure radios, 5 Explosive Ordnance Disposal robots, 20 counter-mortar radars, and over 100 up-armored civilian SUVs. In FY16, we plan to train and equip more of Ukraine's border guards, military, and coast guard to help Ukraine secure its border, defend against and deter future attacks, and respond to illicit smuggling.

But first, Ukraine, President Poroshenko, Prime Minister Yatsenyuk, and the Rada must come together behind a government and reform program that delivers what the Maidan demanded: clean leadership; justice an end to zero-sum politics and backroom deals; and public institutions that serve Ukraine's citizens rather than impoverishing or exploiting them.

### **What Ukraine Must Do**

The 2016 U.S. assistance program is designed to support all these priorities. Specifically, we will support Ukraine as it takes steps to:

1. Clean up its energy sector by passing legislation to establish an Independent Energy Regulator, reduce unsustainable energy subsidies, and accelerate de-monopolization of the gas market, efficiency of procurement and revenue management, and the unbundling of services;
2. Appoint and confirm a new, clean Prosecutor General, who is committed to rebuilding the integrity of the PGO, and investigate, indict and successfully prosecute corruption and asset recovery cases – including locking up dirty personnel in the PGO itself;
3. Improve the business climate by streamlining the bureaucracy, moving ahead with the privatization of the largest state-owned enterprises in a manner that meets international standards, and further recapitalizing and strengthening the banking system;
4. Strengthen judicial independence, including the certification, dismissal, and recruitment of judges;
5. Improve services and eliminate graft in key service areas that affect every Ukrainian: healthcare, education, and transportation; and
6. Modernize the Ministry of Defense, squeeze out corruption in logistics and supply chains, and move toward western standards of command and control and parliamentary oversight.

## **Minsk Agreements**

Of course, Ukraine's greatest challenge remains the ongoing occupation of its territory in Crimea and Donbas, and its efforts to restore sovereignty in the East through full implementation of the September 2014 and February 2015 Minsk agreements. These agreements remain the best hope for peace, and we continue to work in close coordination with the "Normandy Powers" -- Ukraine, Russia, Germany, and France -- to see them fully implemented.

The last time I came before this Committee, Ukraine was in a better place. The September 1 ceasefire had largely silenced the guns, and some Ukrainians were even returning home to Donbas. But today, things are heating up again. In recent weeks, we have seen a spike in ceasefire violations, taking the lives of 68 Ukrainian military personnel and injuring 317. In February alone, OSCE monitors reported 15,000 violations, the vast majority of which originated on the separatist-controlled side of the line of contact. And, there were more recorded ceasefire violations in the first week of March than at any time since August 2015. And despite President Putin's commitments to the Normandy powers last October, combined Russian-separatist forces continue to deny OSCE monitors access to large portions of Donbas and to harass and intimidate those who do have access.

At the last meeting of Normandy Foreign Ministers in early March, Ukraine supported concrete steps to pull back forces on the line of contact, increase OSCE monitors and equipment in key hotspots, and establish more OSCE bases deeper into Donbas and on the border. Taking these steps now and releasing hostages will greatly improve the environment for compromise in Kyiv on election modalities and political rights for Donbas. In the meantime, neither Moscow nor the self-appointed Donbas authorities should expect the Ukrainian Rada to take up key outstanding political provisions of the Minsk agreement, including election modalities and constitutional amendments, before the Kremlin and its proxies meet their basic security obligations under Minsk. Although the U.S. is not a party to the Normandy process, we maintain a very active pace of diplomatic engagement at all levels with Kyiv, Moscow, Paris and Berlin to facilitate implementation of both the security and political aspects of Minsk, and to help the parties brainstorm solutions.

Here again, with will and effort on all sides, 2016 can be a turning point for Ukraine. If security can improve in coming weeks, if hostages are returned, if the parties can finalize negotiations on election modalities and other political issues, we could see legitimate leaders elected in Donbas by fall, the withdrawal of Russian forces and equipment, and the return of Ukraine's sovereignty over its border before the end of the year. We will keep working with Ukraine to do its part to implement Minsk, and working with our European partners to ensure Russia stays under sanctions until it does its part -- all of it. And of course, Crimea sanctions must remain in place so long as the Kremlin imposes its will on that piece of Ukrainian land.

Mr. Chairman, Mr. Ranking Member, members of this committee, we knew Ukraine's road to peace, sovereignty, clean, accountable government and Europe would be difficult and rocky. Today, the stakes are as high as ever. With strong, unified leadership in Kyiv, 2016 can and should be a turning-point year for Ukraine's sovereignty and European future. If and as Ukraine's leaders recommit to drive the country forward, the United States must be there to support them, in our own national interest. At the same time, we must be no less rigorous than the Ukrainian people themselves in demanding Kyiv's leaders take their responsibility now to deliver a truly clean, strong, just Ukraine while they still have the chance. I thank this committee for its bipartisan support and commitment to the sovereignty and territorial integrity of Ukraine and to a Europe whole, free and at peace.

I look forward to your questions.

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## Sally Painter

---

**From:** Sally Painter  
**Sent:** Sunday, July 10, 2016 1:14 PM  
**To:** Vadym Pozharskyi  
**Subject:** Fwd: Pyatt exit interview in Kyiv Post

Just FYI

Sent from my iPhone

Begin forwarded message:

**From:** "Sean Keeley" <[Sean.Keeley@bluestarstrategies.com](mailto:Sean.Keeley@bluestarstrategies.com)>  
**Date:** July 8, 2016 at 10:39:32 AM EDT  
**To:** Karen Tramontano <[Karen.Tramontano@bluestarstrategies.com](mailto:Karen.Tramontano@bluestarstrategies.com)>, Sally Painter <[Sally.Painter@bluestarstrategies.com](mailto:Sally.Painter@bluestarstrategies.com)>, Pero Jolevski <[Pero.Jolevski@bluestarstrategies.com](mailto:Pero.Jolevski@bluestarstrategies.com)>  
**Subject:** **Pyatt exit interview in Kyiv Post**

Ambassador Pyatt gave a lengthy exit interview to the Kyiv Post. See highlighted quotes for his thoughts on the Prosecutor's office and future reforms.

## Pyatt: High hopes, some regrets, one big question

...

### Removing Shokin

It was in support of Ukrainians' fight against their corrupt authorities that Pyatt took one of his stronger and more memorable stands.

The U.S. viewed Viktor Shokin, President Petro Poroshenko's choice for general prosecutor in February 2015, as a prime obstacle to the war on corruption and creation of rule of law.

Getting rid of Shokin became one of the few conditions known publicly for the U.S. government to continue assisting Ukraine financially. That assistance package now includes \$3 billion in loan guarantees, security aid of \$600 million and economic aid of \$500 million since the revolution that ousted Viktor Yanukovich on Feb. 22, 2014, days after the murders of 100 demonstrators.

Shokin's malfeasance in leading the nation's 18,000 prosecutors, his refusal to prosecute any high-level crimes and his obstruction of investigations prompted Pyatt to call him out publicly (and Poroshenko, by implication) on Sept. 24 in Odesa.

It took, however, another six months to persuade Poroshenko to fire his loyalist Shokin and replace him with another loyalist, Yuriy Lutsenko, the former interior minister and Yanukovich-

era political prisoner who headed Poroshenko's faction in parliament. Lutsenko took over on May 12.

Pyatt has no regrets about the tough stance on Shokin.

"It wasn't me taking on Shokin. It was the United States government," Pyatt said. "The conditionality of getting rid of Shokin was an important step to at least opening the door to reform the prosecutor's office."

For the U.S., Shokin was only the latest in a string of obstructionist prosecutors since the revolution -- including Oleh Makhnitsky and Vitaly Yarema -- who were so uninterested in justice that U.S. law enforcement agents assigned to help "were basically locked out of the prosecutor's office," Pyatt said. "An inner corps in the prosecutor's office was a) not interested in pursuing justice and b) not going to do anything that was going to compromise relationships with key political personalities."

The U.S. actively assisted attempts by ex-prosecutors Davit Sakvarelidze and Vitaly Kasko "to cleanse the system and build a new team," but both were driven out earlier this year "by the corrupt cabal around Shokin," Pyatt said. "There are no illusions about what's happened there, because we saw it from the inside."

By contrast, with Lutsenko, "we have excellent cooperation" and also the same with the National Anti-Corruption Bureau of Ukraine, where a U.S. FBI agent was embedded to share expertise.

#### **'Ukraine needs a lot'**

Rebuilding trust in Ukraine's discredited government institutions and delivering justice and rule of law remain long-term projects, Pyatt said.

"I think Ukraine needs a lot of things. It needs a functional judiciary. It needs an effective prosecutorial service. It needs trusted police. It needs institutions that enjoy the confidence of the Ukrainian people."

He supports the idea of deeper U.S. involvement in righting Ukraine's criminal justice system as well as the creation of a special anti-corruption court to take on cases that the regular judiciary, made up of 9,000 discredited judges, cannot be entrusted to adjudicate. He views such a special court as an interim step until judicial reforms take hold and new, clean, professional judges are appointed to the bench.

Pyatt also thinks the U.S. can play an active role in helping Ukraine recover the billions of dollars in assets that have been illicitly spirited offshore. With support from the United Kingdom, America is hosting an asset recovery conference next year designed specifically to help four corruption-plagued nations: Ukraine, Sri Lanka, Nigeria and Tunisia.

But to do that, credible investigations and evidence will have to come from Ukraine's broken criminal justice system. "The more successful Ukraine is in building new and effective institutions, the more effective we can be in supporting and helping Ukrainian courts find assets," Pyatt said.

**'Tragedy for all'**

Only results matter.

"There is only one yardstick of success in this area and that's bringing people to trial and getting them convicted," Pyatt said. "It's a tragedy for all Ukrainians that two-and-a-half years after the revolution, not one Yanukovich-era crook has been convicted and nobody has been brought to account for the murders on Maidan. That needs to change, and Lutsenko knows that needs to change."

Ukrainian politicians "don't have to worry about me" or other foreigners, Pyatt said. "They have to worry about the expectations of the Ukrainian people for rule of law."

<http://www.kyivpost.com/article/content/business/pyatt-high-hopes-some-regrets-one-big-question-418139.html>

**Sean Keeley**

Blue Star Strategies

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Washington, DC 20006

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[sean.keeley@bluestarstrategies.com](mailto:sean.keeley@bluestarstrategies.com)

[www.bluestarstrategies.com](http://www.bluestarstrategies.com)

## Karen Tramontano

---

**From:** Sean Keeley  
**Sent:** Monday, March 21, 2016 4:47 PM  
**To:** Karen Tramontano  
**Cc:** Sally Painter; Jessica Lindgren  
**Subject:** RE: Vadym P - Burisma coming to Washington

Dear Karen,

Sally, Jes and I just talked to Morgan and he will hold a lunch spot on Thursday, March 31<sup>st</sup> (12:15-1:30pm) for Vadym to present on the energy situation in Ukraine for USUBC members. Morgan said he will invite about 30-35 members who would be interested for a lunch reception led by Vadym.

I sent a request to Marcy Kaptur as you saw this morning.

I will also reach out to:

- Tyler Brace: Republican Staff Contact for Senate Ukraine Caucus (Senator Portman's office)
- Chris Homan: Democrat Staff Contact for Senate Ukraine Caucus (Senator Durbin's office)
- John Herbst – Sally to do out reach?
- Alexander Orr – Ukraine desk officer at State (energy)
- Marc Gartner – Ukraine desk officer at State
- Hunter Biden for quick meeting

Let me know if I am missing anyone that should be on the list. And if you have 5-10 minutes at the end of the day today to confer and also discuss the upcoming Kiev trip and Prosecutor outreach, that would be helpful for me.

Thanks,  
Sean

---

**From:** Karen Tramontano  
**Sent:** Sunday, March 20, 2016 10:01 AM  
**To:** Sally Painter; Jessica Lindgren; Sean Keeley  
**Subject:** Vadym P - Burisma coming to Washington

Dear All  
I just spoke w/ Vadym -

He will be arriving on 29 March and expects no agenda on that day. Sally we may want to take him to dinner. On 30th - the evening will be focusing on the pull aside w/ President Poroshenko - Jessica thank you for talking to Morgan's person L - and informing her of our needs.

Here are the meetings I discussed with Vadym

On the House side ... let's get Marcy Kapter if we can Let's make the request early this week

Let's figure out the 2 staff people - one R and one D that either care about Ukraine or Energy but focus on Ukraine

In the Senate let's request meeting at the Ukraine desk -- Sally the guy we met with was very help.

He would like to just "stop by" to see Hunter - no more than 30 minutes because he does not have an agenda -

I think we should also ask for Pfifer or Herbts -- Sally what do you think?

We should try for meetings on the 30th and the afternoon of the 31st

Jesica he said Morgan was putting together a morning briefing for Vadym to discuss the energy situation in Ukraine the morning of the 31st would you check this out with Morgan and L --

any other thoughts?

sally i know you are trying to figure out whether the chief of staff is coming w/ the President -

Lastly let's begin to plan our trip to Kiev - leaving on the 5th. We still do not have the meeting w/ the General Prosecutor .... Let's together talk about how to get this done it's a MUST have for that trip

thanks

Karen



# Burisma Holdings Ltd.

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Washington, D.C. Meetings

**Vadym Pozharskyi**

**March 29-April 1, 2016**

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**Washington, D.C.**

**TUESDAY, MARCH 29:**

**8:00 PM      Arrival in Washington**

*Dulles International Airport  
1 Saarinen Circle  
Dulles, VA 20166*

**WEDNESDAY, MARCH 30:**

**9:00 AM      Briefing at Blue Star Strategies**

Karen Tramontano, CEO, Blue Star Strategies

*Blue Star Strategies  
888 17<sup>th</sup> Street NW  
Suite 800  
Washington, D.C. 20006*

**10:00 AM      Arrival of Devon at Blue Star Strategies**

**10:30 AM      Meeting with Staff of Senator Rob Portman**

Tyler Brace, Legislative Aide to Senator Rob Portman and Republican Staff  
Contact for Senate Ukraine Caucus

*Office of Senator Rob Portman (R-OH)  
448 Russell Senate Office Building  
2 Constitution Ave NE  
Washington, DC 20515  
Tel: (202) 224-3353*

Staffer: Sally Painter

**3:00 PM      Meeting with Staff of Senator Jeanne Shaheen**

Josh Lucas, Foreign Policy Advisor to Sen. Jeanne Shaheen  
Ariel Marshall, Energy Advisor to Sen. Jeanne Shaheen

*Office of Senator Jeanne Shaheen (D-OH)  
506 Hart Senate Office Building  
Washington, DC 20510  
Tel: (202) 224-2841*

Staffer: Karen

**5:30 PM Reception before Poroshenko Speech**  
**-7:00PM**

*Atrium by Congressional Auditorium  
U.S. Capitol Visitors Center  
First Street, NE  
Washington, DC 20515*

Staffers: Karen and Sally

N.B. Ticket and photo ID required  
Seating for speech begins at 6:00pm

**7:00 PM Speech by President Petro Poroshenko**  
**-8:00PM**

*Congressional Auditorium  
U.S. Capitol Visitors Center  
First Street, NE  
Washington, DC 20515*

**8:00 PM VIP Reception with President Petro Poroshenko**  
**-9:00PM**

*Congressional Meeting Room South  
U.S. Capitol Visitors Center  
First Street, NE  
Washington, DC 20515*

**THURSDAY, MARCH 31:**

**10:30 AM Meeting with Congressional Staff of Rep. Marcy Kaptur (D-OH)**

TJ Lowdermilk, Legislative Assistant (Energy)  
Nora Sarsour, Legislative Assistant (Foreign Affairs)

*Office of Congresswoman Marcy Kaptur (OH-9)  
2186 Rayburn House Office Building  
Washington, DC 20515  
Tel: (202) 225-4146*

Staffer: Jesica Lindgren

**12:15 PM USUBC Roundtable Briefing and Lunch with Vadym Pozharskyi**  
**-1:45 PM "Ukraine's Future Energy Security"**

Hosted by: Morgan Williams, President/CEO, U.S.-Ukraine Business Council

*1030 15<sup>th</sup> Street NW  
Suite 230E, Conference Room  
Washington, DC 20005*

**2:30 PM Meeting with Hunter Biden**

**-3:00 PM**

Hunter Biden, Director, Burisma Holdings

*Rosemont Seneca Partners  
1010 Wisconsin Ave NW  
Suite 705  
Washington, DC 20007  
Tel: (202) 333-1880*

Staffer: Karen

**3:30 PM Meeting with State Department Officials**

**-4:15PM**

Alex Orr, Ukraine Desk Officer, State Department  
Marc Gartner, Ukraine Desk Officer, State Department  
Leo Gallagher, Bureau of Energy Resources, State Department

*2201 C Street NW\*  
Washington, D.C. 20520  
Tel: (202) 647-5998*

*\*Note: Alex and Marc to meet you outside the C street entrance*

Staffer: Karen

**7:00 PM Dinner with Karen and Sally**

Karen Tramontano, CEO, Blue Star Strategies  
Sally Painter, COO, Blue Star Strategies

*Location to be determined*

**FRIDAY, APRIL 1:**

**5:20 PM Departure from Washington**

## BACKGROUND

### Office of Senator Rob Portman (R-OH)



**Senator Rob Portman** is an influential Republican politician who is currently the junior United States Senator from Ohio, in office since 2011. Portman won his first election in 1993, earning a seat in the U.S. House of Representatives. Portman became a U.S. trade representative under President George W. Bush in 2005. He also served as Bush's budget director from 2006 to 2007. In 2010, Portman won his bid for the U.S. Senate. Portman is a member of the Finance Committee, Committee On Homeland Security And Governmental Affairs, Energy And Natural Resources Committee, and Committee On The Budget.

Senator Portman is also the co-chair of the Senate Ukraine Caucus, which was inaugurated in February 2015 to “strengthen the political, military, economic, and cultural relationship between the United States and Ukraine.” Portman has been a vocal advocate on behalf of Ukraine in the Senate, arguing for increased military assistance to Ukraine, speaking out in favor of loan guarantees to the country, and writing several op-eds on the subject. Senator Portman has also participated in two Congressional delegations to Ukraine, met with President Petro Poroshenko after his address to Congress in September 2014, and co-sponsored the Ukraine Freedom Support Act of 2014.

**Tyler Brace** is a legislative assistant to Senator Rob Portman. His legislative responsibilities include the armed services and military, defense, foreign affairs, homeland security, intelligence issues, judiciary issues, and veterans’ affairs. He is also the Republican Staff contact for the Senate Ukraine Caucus, which is co-chaired by Senator Portman. In this capacity, he travelled to Ukraine in October 2014, to serve as an election monitor for Ukraine’s parliamentary elections and meet with key Ukrainian and U.S. Embassy officials. Previously, Tyler worked in the office of Congressman Michael Turner.

**Office of Senator Jeanne Shaheen (D-NH)**



**Senator Jeanne Shaheen** is the senior United States Senator from New Hampshire, in office since 2009. She also served as Governor of New Hampshire from 1997 to 2003, and remains the only woman in U.S. history to be elected as both a Governor and a U.S. Senator. She is a member of the Senate Committees on Armed Services, Appropriations, the Small Business and Entrepreneurship Committee, and the Committee on Foreign Relations. She is the ranking member of the Subcommittee on Europe and Regional Cooperation.

Senator Shaheen is also a vice chair of the Senate Ukraine Caucus, which was inaugurated in February 2015 to strengthen ties between the United States and Ukraine. Shaheen has been a strong advocate for Ukraine, speaking frequently of the need to increase military and financial aid to the country and to punish Russia with sanctions. Senator Shaheen led a Congressional delegation to Ukraine in October 2015, where she met with President Poroshenko and Prime Minister Yatsenyuk, and urged the country to follow through on anti-corruption reforms.

**Josh Lucas** is the Senior Defense and Foreign Policy Advisor to Senator Jeanne Shaheen. He advises her on her work in the Foreign Relations Committee and on relevant foreign policy or military legislation.

**Ariel Marshall** is the Energy Policy Advisor to Senator Jeanne Shaheen.

**Office of Rep. Marcy Kaptur (D-OH)**



**Congresswoman Marcy Kaptur**, who represents Ohio's Ninth Congressional District, is currently serving her sixteenth term in the U.S. House of Representatives. She is the senior-most woman in the House and the longest-serving woman from Ohio in history. Congresswoman Kaptur ranks among the most senior Members of the 114th Congress. She sits on the influential House Committee on Appropriations.

Congresswoman Kaptur is also the co-chair of the Congressional Ukrainian Caucus, which aims to increase U.S.-Ukraine ties and lend support for Ukraine in its process of democratization and market-oriented reforms. Congresswoman Kaptur has been a consistent supporter of Ukraine since her first term in 1983. She has made at least a dozen trips to Ukraine over the years, and has met with many Ukrainian leaders and embassy officials during her time in Washington. She has been featured in Ukrainian national media outlets *Ukraine Today* and *TSN.ua* for her advocacy of providing defensive aid and financial assistance to Ukraine.



**TJ Lowdermilk** is a Legislative Assistant in the Office of Representative Marcy Kaptur. He advises the Congresswoman on energy, natural resources, and defense issues, among other matters. His primary responsibility is to handle Appropriations Committee and Subcommittee work for the Department of Energy. He previously worked as a legislative fellow in the Office of Representative Matthew Cartwright.



**Nora Sarsour** is a Legislative Assistant in the Office of Representative Marcy Kaptur. She advises the Congresswoman on foreign affairs, with particular interest in Ukraine, Poland, Hungary, Russia, and the Middle East. Nora previously worked in the Office of Representative Jim Moran and as a Congressional Staff Assistant in the White House's Presidential Personnel Office.

## State Department

### **Office of Ukraine, Moldova, and Belarus Affairs [EUR/UMB]**

The Office of Ukraine, Moldova, and Belarus Affairs is an office within the State Department's Bureau of European and Eurasian Affairs. EUR/UMB coordinates U.S. foreign policy with Ukraine, Moldova and Belarus. The office serves as the link between the three embassies, bureaus and offices within the Department, and a wide range of U.S. Government agencies. EUR/UMB works closely with posts in the development and implementation of U.S. political and economic strategy for each country and for the region. The overarching goal is to help these countries develop into nations that are democratic, prosperous, secure within their own borders, and free to become full partners in the Euro-Atlantic community.



#### **Alexander Orr, Ukraine Desk Officer**

Alexander Orr is a desk officer for Ukraine at the State Department's Office of Ukraine, Moldova, and Belarus Affairs. He has worked for the State Department since August 2009 at various postings both in Washington, D.C. and abroad. Alex has worked as the Vice Consul at the U.S. Embassy in Astana, Kazakhstan; an Economic Officer at the U.S. Embassy in Bogota, Colombia; and a Trade and Commercial Officer at the U.S. Consulate General in Karachi, Pakistan. Prior to joining the Foreign Service, Alex worked as an Emerging Markets

Equities Analyst at JP Morgan Chase, and a strategy consultant for Oliver Wyman in New York.

#### **Marc Gartner, Ukraine Desk Officer**

Marc Gartner is an Economic Officer at the Ukraine desk in the State Department's Office of Ukraine, Moldova, and Belarus Affairs. Marc previously served in the Economic Section at the U.S. Embassy in Kyiv, Ukraine. He holds a Master of Business Administration from UCLA. Prior to joining the Foreign Service, Marc worked in finance in Los Angeles, California.

### **Bureau of Energy Resources [ENR]**

The Bureau of Energy Resources is a State Department bureau first established in October 2011. The Bureau has three principal goals:

- 1) To manage the geopolitics of today's energy economy through vigorous diplomacy with producers and consumers;
- 2) To stimulate market forces for transformational policies in alternative energy, electricity, development and reconstruction;
- 3) To increase access to energy in developing countries, expand good governance, and deepen transparency.

#### **Leo Gallagher, Officer at Bureau of Energy Resources**

Leo Gallagher is an officer at the State Department's Bureau of Energy Resources. Leo's previous roles have included work as an Economic/Commercial Officer at the U.S. Embassy in Barbados.





# Burisma Holdings Ltd.

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Washington, D.C. Meetings

**Devon Archer**

**March 29-April 1, 2016**

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**Washington, D.C.**

**WEDNESDAY, MARCH 30:**

**10:00 AM      Arrival for Briefing at Blue Star Strategies**

Sally Painter, COO, Blue Star Strategies

*Blue Star Strategies  
888 17<sup>th</sup> Street NW  
Suite 800  
Washington, D.C. 20006*

**10:30 AM      Meeting with Staff of Senator Rob Portman**

Tyler Brace, Legislative Aide to Senator Rob Portman and Republican Staff  
Contact for Senate Ukraine Caucus

*Office of Senator Rob Portman (R-OH)  
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2 Constitution Ave NE  
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Tel: (202) 224-3353*

Staffer: Sally Painter

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Josh Lucas, Foreign Policy Advisor to Sen. Jeanne Shaheen  
Ariel Marshall, Energy Advisor to Sen. Jeanne Shaheen

*Office of Senator Jeanne Shaheen (D-OH)  
506 Hart Senate Office Building  
Washington, DC 20510  
Tel: (202) 224-2841*

Staffer: Karen

**5:30 PM      Reception before Poroshenko Speech  
-7:00PM**

*Atrium by Congressional Auditorium  
U.S. Capitol Visitors Center  
First Street, NE  
Washington, DC 20515*

Staffers: Karen and Sally

N.B. Ticket and photo ID required  
Seating for speech begins at 6:00pm

**7:00 PM**      **Speech by President Petro Poroshenko**  
**-8:00PM**

*Congressional Auditorium  
U.S. Capitol Visitors Center  
First Street, NE  
Washington, DC 20515*

**THURSDAY, MARCH 31:**

**10:30 AM**      **Meeting with Congressional Staff of Rep. Marcy Kaptur (D-OH)**

TJ Lowdermilk, Legislative Assistant (Energy)  
Nora Sarsour, Legislative Assistant (Foreign Affairs)

*Office of Congresswoman Marcy Kaptur (OH-9)  
2186 Rayburn House Office Building  
Washington, DC 20515  
Tel: (202) 225-4146*

Staffer: Jesica Lindgren

**12:15 PM**      **USUBC Roundtable Briefing and Lunch with Vadym Pozharskyi**  
**-1:45 PM**      **“Ukraine’s Future Energy Security”**

Hosted by: Morgan Williams, President/CEO, U.S.-Ukraine Business Council

*1030 15<sup>th</sup> Street NW  
Suite 230E, Conference Room  
Washington, DC 20005*

**2:30 PM**      **Meeting with Hunter Biden**  
**-3:00 PM**

Hunter Biden, Director, Burisma Holdings

*Rosemont Seneca Partners  
1010 Wisconsin Ave NW  
Suite 705  
Washington, DC 20007  
Tel: (202) 333-1880*

Staffer: Karen

**7:00 PM      Dinner with Karen and Sally**

Karen Tramontano, CEO, Blue Star Strategies  
Sally Painter, COO, Blue Star Strategies

*Location to be determined*

## BACKGROUND

### Office of Senator Rob Portman (R-OH)



**Senator Rob Portman** is an influential Republican politician who is currently the junior United States Senator from Ohio, in office since 2011. Portman won his first election in 1993, earning a seat in the U.S. House of Representatives. Portman became a U.S. trade representative under President George W. Bush in 2005. He also served as Bush's budget director from 2006 to 2007. In 2010, Portman won his bid for the U.S. Senate. Portman is a member of the Finance Committee, Committee On Homeland Security And Governmental Affairs, Energy And Natural Resources Committee, and Committee On The Budget.

Senator Portman is also the co-chair of the Senate Ukraine Caucus, which was inaugurated in February 2015 to “strengthen the political, military, economic, and cultural relationship between the United States and Ukraine.” Portman has been a vocal advocate on behalf of Ukraine in the Senate, arguing for increased military assistance to Ukraine, speaking out in favor of loan guarantees to the country, and writing several op-eds on the subject. Senator Portman has also participated in two Congressional delegations to Ukraine, met with President Petro Poroshenko after his address to Congress in September 2014, and co-sponsored the Ukraine Freedom Support Act of 2014.

**Tyler Brace** is a legislative assistant to Senator Rob Portman. His legislative responsibilities include the armed services and military, defense, foreign affairs, homeland security, intelligence issues, judiciary issues, and veterans’ affairs. He is also the Republican Staff contact for the Senate Ukraine Caucus, which is co-chaired by Senator Portman. In this capacity, he travelled to Ukraine in October 2014, to serve as an election monitor for Ukraine’s parliamentary elections and meet with key Ukrainian and U.S. Embassy officials. Previously, Tyler worked in the office of Congressman Michael Turner.

**Office of Senator Jeanne Shaheen (D-NH)**



**Senator Jeanne Shaheen** is the senior United States Senator from New Hampshire, in office since 2009. She also served as Governor of New Hampshire from 1997 to 2003, and remains the only woman in U.S. history to be elected as both a Governor and a U.S. Senator. She is a member of the Senate Committees on Armed Services, Appropriations, the Small Business and Entrepreneurship Committee, and the Committee on Foreign Relations. She is the ranking member of the Subcommittee on Europe and Regional Cooperation.

Senator Shaheen is also a vice chair of the Senate Ukraine Caucus, which was inaugurated in February 2015 to strengthen ties between the United States and Ukraine. Shaheen has been a strong advocate for Ukraine, speaking frequently of the need to increase military and financial aid to the country and to punish Russia with sanctions. Senator Shaheen led a Congressional delegation to Ukraine in October 2015, where she met with President Poroshenko and Prime Minister Yatsenyuk, and urged the country to follow through on anti-corruption reforms.

**Josh Lucas** is the Senior Defense and Foreign Policy Advisor to Senator Jeanne Shaheen. He advises her on her work in the Foreign Relations Committee and on relevant foreign policy or military legislation.

**Ariel Marshall** is the Energy Policy Advisor to Senator Jeanne Shaheen.

**Office of Rep. Marcy Kaptur (D-OH)**



**Congresswoman Marcy Kaptur**, who represents Ohio's Ninth Congressional District, is currently serving her sixteenth term in the U.S. House of Representatives. She is the senior-most woman in the House and the longest-serving woman from Ohio in history. Congresswoman Kaptur ranks among the most senior Members of the 114th Congress. She sits on the influential House Committee on Appropriations.

Congresswoman Kaptur is also the co-chair of the Congressional Ukrainian Caucus, which aims to increase U.S.-Ukraine ties and lend support for Ukraine in its process of democratization and market-oriented reforms. Congresswoman Kaptur has been a consistent supporter of Ukraine since her first term in 1983. She has made at least a dozen trips to Ukraine over the years, and has met with many Ukrainian leaders and embassy officials during her time in Washington. She has been featured in Ukrainian national media outlets *Ukraine Today* and *TSN.ua* for her advocacy of providing defensive aid and financial assistance to Ukraine.



**TJ Lowdermilk** is a Legislative Assistant in the Office of Representative Marcy Kaptur. He advises the Congresswoman on energy, natural resources, and defense issues, among other matters. His primary responsibility is to handle Appropriations Committee and Subcommittee work for the Department of Energy. He previously worked as a legislative fellow in the Office of Representative Matthew Cartwright.



**Nora Sarsour** is a Legislative Assistant in the Office of Representative Marcy Kaptur. She advises the Congresswoman on foreign affairs, with particular interest in Ukraine, Poland, Hungary, Russia, and the Middle East. Nora previously worked in the Office of Representative Jim Moran and as a Congressional Staff Assistant in the White House's Presidential Personnel Office.

## Karen Tramontano

---

**From:** Karen Tramontano  
**Sent:** Tuesday, March 22, 2016 6:06 PM  
**To:** Andrii Telizhenko; Sally Painter  
**Subject:** RE: Andrii Telizhenko (Embassy of Ukraine)

Dear Andrii

Thank you very much. It was indeed a pleasure to meet you. As I mentioned, Sally and I will be in Kiev April 6, 7 and 8. The attorney from the U.S. John Buretta who has reviewed the matter we discussed and I would like to meet the General Prosecutor on April 6<sup>th</sup> – preferable in the afternoon. I will reach out to John today to see whether he has any flexibility and get back to you ASAP. Thank you again for your assistance.

Most sincerely,  
Karen

**From:** Andrii Telizhenko [mailto:telizhenko.andriy@gmail.com]  
**Sent:** Tuesday, March 22, 2016 5:14 PM  
**To:** Karen Tramontano <Karen.Tramontano@bluestarstrategies.com>; Sally Painter <Sally.Painter@bluestarstrategies.com>  
**Subject:** Andrii Telizhenko (Embassy of Ukraine)

Dear Sally, Karen,

It was nice seeing you at the Embassy today, thank you for coming and your help. This is my email that I respond 24/7 if you have any questions.

My cell 202 230 0141

With Regards,

Andrii Telizhenko

--

Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
III Secretary of the Embassy of Ukraine to the USA  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

**From:** Sally Painter  
**Sent:** Fri, 10 Jun 2016 12:23:15 +0000  
**To:** Fried, Daniel  
**Subject:** Re: Many thanks  
**Attachments:** image001.png

Thank you very much. Greatly appreciated. Warmest regards sally

Sent from my iPhone

On Jun 10, 2016, at 7:52 AM, Fried, Daniel [REDACTED] > wrote:

As it turns out, George Kent, our DCM in Kyiv is in town and willing to be in touch with you. You may reach him at [GPKent@icloud.com](mailto:GPKent@icloud.com).

---

**From:** Sally Painter  
[<http://redirect.state.sbu/?url=mailto:Sally.Painter@bluestarstrategies.com>]  
**Sent:** Tuesday, June 07, 2016 2:17 PM  
**To:** Fried, Daniel  
**Subject:** Many thanks

Dear Dan,  
Thank you for taking the time to listen. It is greatly appreciated. The man's name is Nikolai Zlochevsky - but sometimes written as Mykola Zlochevsky.

Many thanks and warmest personal regards,

sally

Sally Painter  
Co-Founder and COO  
Blue Star Strategies

[<image001.png>](#)

(+1) 202-833-1268 direct  
(+1) 202-822-9088 fax  
[sally.painter@bluestarstrategies.com](mailto:sally.painter@bluestarstrategies.com)

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**From:** Sally Painter  
**Sent:** Mon, 13 Jun 2016 20:11:19 +0000  
**To:** Fried, Daniel  
**Subject:** Fwd: Connecting

Dear Dan,  
Thanks for trying. I sent the note to the DCM below but have not heard back. Do you know if he has left? Many thanks again. Warmest sally

Sent from my iPhone

Begin forwarded message:

**From:** <[Sally.Painter@bluestarstrategies.com](mailto:Sally.Painter@bluestarstrategies.com)>  
**Date:** June 10, 2016 at 8:26:12 AM EDT  
**To:** <[GPKent](mailto:GPKent) [REDACTED]>  
**Subject:** Connecting

Dear Mr. Kent.  
Good morning. A mutual colleague and friend, Dan Fried, suggested you might be available for a meeting while you are in Washington. Are there any times that might be convenient for your schedule today or even this weekend. Many thanks in advance for your consideration. Warmest personal regards sally painter

Sent from my iPhone



[REDACTED]

[REDACTED]

-----Original Message-----

From: [REDACTED]  
Sent: Monday, June 27, 2016 9:09 AM  
To: 'Sally Painter'  
Cc: Pero Jolevski; [REDACTED] D\_Scheduling  
Subject: RE: Coffee with Tony

Sally -

Thanks for following up - I'm looping in our scheduling team and some other colleagues.

Regards,

[REDACTED]

-----Original Message-----

From: Sally Painter [<mailto:Sally.Painter@bluestarstrategies.com>]  
Sent: Monday, June 27, 2016 9:05 AM  
To: [REDACTED]  
Cc: Pero Jolevski  
Subject: Coffee with Tony

Dear [REDACTED]

Per my conversation with Tony at the Truman event, Karen Tramontano and I would like to have a brief coffee with Tony at his earliest convenience regarding some troubling events we are seeing in Ukraine. (He said yes).

Karen was President Clinton's Deputy Chief of Staff and we are just back from Kiev.

Many thanks for your help. With warm regards sally

Sent from my iPhone

**From:** Fried, Daniel  
**Sent:** Tue, 6 Sep 2016 09:56:58 -0400  
**To:** 'Sally Painter'  
**Subject:** RE: Please call me on cell. [REDACTED] Thank you. I need your guidance

Just tried calling. I'm at 202-647-3893

-----Original Message-----

From: Sally Painter [<mailto:Sally.Painter@bluestarstrategies.com>]  
Sent: Tuesday, September 06, 2016 9:01 AM  
To: Fried, Daniel  
Subject: Re: Please call me on cell. [REDACTED]. Thank you. I need your guidance

Thank you

Sent from my iPhone

> On Sep 6, 2016, at 8:57 AM, Fried, Daniel <[REDACTED]> wrote:

>

> About to go into meetings. Will call when I've a few minutes.

>

> -----Original Message-----

> From: Sally Painter [<http://redirect.state.sbu/?url=mailto:Sally.Painter@bluestarstrategies.com>]

> Sent: Tuesday, September 06, 2016 8:43 AM

> To: Fried, Daniel

> Subject: Please call me on cell. [REDACTED] Thank you. I need your guidance

>

>

>

> Sent from my iPhone

>

**From:**Fried, Daniel  
**Sent:**Thu, 8 Sep 2016 12:02:36 -0400  
**To:**'Sally Painter'  
**Subject:**RE: Update

Good to hear.

---

**From:** Sally Painter [mailto:Sally.Painter@bluestarstrategies.com]  
**Sent:** Thursday, September 08, 2016 11:37 AM  
**To:** Fried, Daniel  
**Subject:** Update

Dear Mr. Ambassador,

Quick update. Masha called Karen back and they had a very good conversation.

She said she would clear up any confusion around the misrepresentation that we are representing Andriy Klyuyev – which as you know we are not and have never met him.

Thank you very much for your guidance, support and most importantly friendship. Karen and I deeply appreciate it and you. Warmest sally

Sally Painter  
Co-Founder and COO  
Blue Star Strategies



(+1) 202-833-1268 direct  
(+1) 202-822-9088 fax  
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**Sally Blue star**

last seen yesterday at 17:55



Hello) To Mr. Z or Mr. Danyluk

15:49 ✓✓

thank you

15:49 ✓✓

Also we are having a call today with you at 11am?)

15:50 ✓✓

Ok. I will check to see who he is most comfortable with. Will report back

15:51

thank you again

15:52 ✓✓

also please confirm the 30 when you receive please

15:57 ✓✓

Will do

15:59

:)

15:59 ✓✓



15:59 ✓✓

Apr 26, 2019



Missed voice call at 15:20

Have you seen what Solomon has written about what you said?

15:20



Missed voice call at 16:56

Apr 30, 2019

please Take blue star off resume

23:06



Message input field





**Sally Blue star**

last seen yesterday at 17:55



Jun 4, 2019

Everything ok? I am hearing rumors.

17:19

hi, all is ok.

17:25 ✓✓

what rumors?

17:25 ✓✓

That things were getting complicated for you

17:26

seems all fine

17:27 ✓✓

do you have any more details?

17:27 ✓✓

No sorry. Just that. No worries. Just checking on you my friend.

17:28

ok thank you very much

17:28 ✓✓

did it come from State?

17:29 ✓✓

Let me know when you can talk? thank you)

17:52 ✓✓

No. I can't tell you as it was in confidence but the person just said that things were getting complicated for you. The person is in Ukraine

18:03

ok thank you very much

18:03 ✓✓

Jun 7, 2019

Did u see dems are going to open an



Message input field





Sally Blue star

last seen yesterday at 17:55



Jun 7, 2019

Did u see dems are going to open an investigation into Rudy Ukraine and Biden trips. Just FYI

21:28

not yet, interesting thanks

21:29

its mostly for PR i think

21:30

Jun 18, 2019

Complaint filed

22:10

Jun 19, 2019

What did you think of NYT article

14:23

Its seem very fair

14:28

Jul 9, 2019

Missed voice call at 12:30

Hi. Landed in London. Meet with ounce folks at 4. Please remind him he will be first Ukrainian to work with prince. Thank you

12:31

Missed voice call at 16:54

Jul 24, 2019

Missed voice call at 11:18

Jul 25, 2019

just saw your call from yesterday sorry



Message input field





**Sally Blue star**

last seen yesterday at 17:55



had some issues with whatsapp

14:11 ✓✓



[Missed voice call at 15:02](#)

Called you back

15:06

Vladislav Rashkovan

Oleksandr Danyluk

Yulia Tymoshenko

Andriy Kobolev

Abramavichius - but not a lot of chances

2 more names should be discussed next

week

17:00 ✓✓

Jul 28, 2019

Oleksiy Goncharuk

Oleg Ustenko

those are the other 2 names for Prime

14:20 ✓✓

Thank you

14:50

Aug 6, 2019

Anything for prince of Wales ? Thanks

16:07

Aug 22, 2019

Morning. I am sure you saw NYT. Is Yermak trustworthy? What role does he play with Z? Do you think he is professional? Does he understand the complexity of Gulianni Biden battle? Many thanks for your insights s

15:03



## Karen Tramontano

---

**From:** Karen Tramontano  
**Sent:** Saturday, July 27, 2019 10:44 AM  
**To:** Vadim Pozharskyi  
**Cc:** Tamar Gegechkori; Sally Painter  
**Subject:** Re: Zelensky/Trump talk

Thank you Vadym. I've briefed sally. She will reach out to our friend. I've talked to our other friend this morning.

Sent from my iPhone

On Jul 27, 2019, at 10:34 AM, Vadim Pozharskyi <[v.pozharskyi.ukraine@gmail.com](mailto:v.pozharskyi.ukraine@gmail.com)> wrote:

Dear Karen and all,

Please, see a link to an official website of the President of Ukraine with news on the recent phone call between Ukraine's President Zelensky and President Trump:

<https://www.president.gov.ua/en/news/volodimir-zelenskij-proviv-telefonnu-rozmovu-z-prezidentom-s-56617>

**"Donald Trump is convinced that the new Ukrainian government will be able to quickly improve image of Ukraine, complete investigation of corruption cases, which inhibited the interaction between Ukraine and the USA"**

Some Ukrainian media focused on this very quote and made it look as though President Trump was talking about Burisma/Biden situation.

Please, see links to correspondent publications:

<https://www.eurointegration.com.ua/news/2019/07/25/7098933/>

**"The GP's office is investigating the case of a former Minister of Ukraine under Viktor Yanukovich, Mykola Zlochevsky and his firm Burisma Holdings on suspicion of obtaining illegal decisions on gas extraction, money laundering, and evasion of tax payments in particularly large amounts. The son of Trump's opponent in the 2020 Presidential elections Joe Biden, Hunter was a member of the Board of Burisma Holdings. Trump's personal attorney, Rudolf Giuliani, said that Biden had wrongfully pressured the Ukrainian president Petro Poroshenko and the parliament in March 2016 to fire GP Viktor Shokin. The visit of Ukraine's President Volodymyr Zelensky to the United States will take place prior to his visit to Warsaw on September 1, said Deputy Head of Office Mr Vadym Prystaiko."**

Links to other publications on this are offered below:

<https://antikor.com.ua/articles/317745->

[tramp\\_nameknul\\_zelenskomu\\_na\\_neobhodimostj\\_rassledovatj\\_dela\\_protiv\\_bajdena](#)

<https://tsn.ua/politika/zelenskiy-upershe-telefonom-peregovoriv-iz-trampom-1384566.html>

[https://zik.ua/news/2019/07/26/tramp\\_radyt\\_zelenskomu\\_rozsliduvaty\\_koruptsiyni\\_spravy\\_shcho\\_gal\\_muyut\\_1614285](https://zik.ua/news/2019/07/26/tramp_radyt_zelenskomu_rozsliduvaty_koruptsiyni_spravy_shcho_gal_muyut_1614285)

## Sally Painter

---

**From:** Pero Jolevski  
**Sent:** Tuesday, January 16, 2018 6:05 PM  
**To:** Burisma  
**Cc:** Anna Smaga; Karen Tramontano; Sally Painter  
**Subject:** Invitation Letter  
**Attachments:** Invitation - Zlochevskyi.pdf

Dear Vadym,

Please find attached letter from Ambassador Herbst for the visa application purposes.

Best regards  
Pero

Pero Jolevski  
Blue Star Strategies

(+1)-202-833-1281  
(+1)-202-822-9088 fax

[pero.jolevski@bluestarstrategies.com](mailto:pero.jolevski@bluestarstrategies.com)

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**INVITATION**

Mykola Zlochevskyi  
10-A Ryleyeva Str.  
04073, Kyiv  
Ukraine

Dear Mr. Zlochevskyi,

The Atlantic Council invites you to attend a **Ukraine Strategy Session** on **March 19, 2018** from **12:00 p.m. to 3:00 p.m.** at the **Atlantic Council headquarters** (1030 15<sup>th</sup> Street NW, 12<sup>th</sup> Floor, West Elevators).

The session will feature prominent international policy makers and experts. To RSVP, please email my colleague Tamari Ramishvili at [tramishvili@atlanticcouncil.org](mailto:tramishvili@atlanticcouncil.org).

We hope you can join us for this important and timely strategy session.

Best,

John

A handwritten signature in black ink, appearing to read "John Herbst".

**John Herbst** Ambassador (Ret.)  
Director, Eurasia Center



# United States Senate

WASHINGTON, DC 20510

September 27, 2019

## VIA ELECTRONIC TRANSMISSION

The Honorable William Barr  
Attorney General  
Department of Justice

Dear Attorney General Barr:

We write to follow up on Senator Grassley's July 20, 2017 letter, which highlighted brazen efforts by the Democratic National Committee and Hillary Clinton campaign to use the government of Ukraine for the express purpose of finding negative information on then-candidate Trump in order to undermine his campaign.<sup>1</sup> That letter also highlighted news reports that, during the 2016 presidential election, "Ukrainian government officials tried to help Hillary Clinton and undermine Trump" and did so by "disseminat[ing] documents implicating a top Trump aide in corruption and suggest[ing] they were investigating the matter[.]"<sup>2</sup> Ukrainian officials also reportedly "helped Clinton's allies research damaging information on Trump and his advisers."<sup>3</sup>

At the center of this plan was Alexandra Chalupa, described by reports as a Ukrainian-American operative "who was consulting for the Democratic National Committee" and who reportedly met with Ukrainian officials during the presidential election for the express purpose of exposing alleged ties between then-candidate Donald Trump, Paul Manafort, and Russia.<sup>4</sup> *Politico* also reported on a *Financial Times* story that quoted a Ukrainian legislator, Serhiy Leschenko, as saying that Trump's candidacy caused "Kiev's wider political leadership to do something they would never have attempted before: intervene, however indirectly, in a U.S. election."<sup>5</sup>

The July 20, 2017 letter further noted that the Democratic National Committee encouraged Chalupa to work with Ukrainian embassy staff to "arrange an interview in which Poroshenko [the president of Ukraine] might discuss Manafort's ties to Yanukovich."<sup>6</sup> In March 2016, Chalupa met with Valeriy Chaly, Ukraine's ambassador to the U.S., and Oksana Shulyar, a top aid to the Ukrainian ambassador, to share her alleged concerns about Manafort. Reports state that the purpose of that initial meeting was to "organize a June reception at the embassy to promote Ukraine." However, another Ukrainian embassy official, Andrii Telizhenko, told

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<sup>1</sup> Letter from Hon. Charles E. Grassley, Chairman, Senate Committee on the Judiciary, to Hon. Rod J. Rosenstein, Attorney General, U.S. Department of Justice (July 20, 2017), *available at* <https://www.grassley.senate.gov/sites/default/files/constituents/2017-0720%20CEG%20to%20DOJ%20%28Ukraine%20DNC%20FARA%29.pdf>.

<sup>2</sup> *Id.*

<sup>3</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, *POLITICO* (Jan. 11, 2017), <https://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

*Politico* that Shulyar instructed him to assist Chalupa with research to connect Trump, Manafort, and the Russians. He reportedly said, “[t]hey were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa” and that “Oksana [Shulyar] was keeping it all quiet...the embassy worked very closely with” Chalupa.<sup>7</sup> In a May 2019 article, Telizhenko was quoted as saying,

[Chalupa] said the DNC wanted to collect evidence that Trump, his organization and Manafort were Russian assets, working to hurt the U.S. and working with [Russian President Vladimir] Putin against the U.S. interests. She indicated if we could find the evidence they would introduce it in Congress in September and try to build a case that Trump should be removed from the ballot, from the election.<sup>8</sup>

Reportedly, Telizhenko was instructed by the Ukrainian government to meet with an American journalist about Paul Manafort’s ties to Ukraine.<sup>9</sup> In addition, in May 2016, Chalupa emailed a DNC official stating that she met with 68 Ukrainian investigative journalists about Manafort and that there would be “[a] lot more coming down the pipe.”<sup>10</sup> Less than a month later, the “black ledger” identifying payments made to Manafort from Ukrainian politicians was publicly released.<sup>11</sup> And finally, Nellie Ohr, the wife of Justice Department official Bruce Ohr, stated during a congressional interview that Fusion GPS used Serhiy Leschenko, a Ukrainian politician that admitted Ukraine intervened in the 2016 election, as a source for derogatory material against then-candidate Trump.<sup>12</sup>

After two years, more than 2,800 subpoenas, approximately 500 search warrants and witness interviews, and \$30 million in taxpayer money, Robert Mueller reported that then-candidate Trump did not collude with the Russians or any other foreign government to interfere with the 2016 presidential election.<sup>13</sup> In contrast, however, the Clinton campaign and Democratic National Committee hired Fusion GPS to conduct opposition research against candidate Trump, which included, among other efforts, the hiring of former British Intelligence Officer Christopher Steele to compile the “Steele Dossier” that reportedly used Russian government sources for information. These facts continue to raise concerns about foreign assistance in the 2016 election that have not been thoroughly addressed.

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<sup>7</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, *POLITICO* (Jan. 11, 2017), <https://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>

<sup>8</sup> John Solomon, *Ukrainian Embassy confirms DNC contractor solicited Trump dirt in 2016*, *The Hill* (May 2, 2019), <https://thehill.com/opinion/white-house/441892-ukrainian-embassy-confirms-dnc-contractor-solicited-trump-dirt-in-2016>

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Jack Gillum et al., *Manafort firm received Ukraine ledger payout*, *AP* (Apr. 12, 2017), [available at https://www.apnews.com/20cfc75c82eb4a67b94e624e97207e23](https://www.apnews.com/20cfc75c82eb4a67b94e624e97207e23).

<sup>12</sup> Transcript of Nellie Ohr Interview, Executive Session House Committee on the Judiciary joint with the Committee on Government Reform and Oversight (Oct. 19, 2018), [available at https://dougcollins.house.gov/sites/dougcollins.house.gov/files/10.19.18%20Nellie%20Ohr%20Interview.pdf](https://dougcollins.house.gov/sites/dougcollins.house.gov/files/10.19.18%20Nellie%20Ohr%20Interview.pdf).

<sup>13</sup> See generally DEP’T OF JUSTICE, OFF. OF SPECIAL COUNSEL, REPORT ON THE INVESTIGATION INTO RUSSIAN INTERFERENCE IN THE 2016 PRESIDENTIAL ELECTION (Mar. 2019), <https://www.justice.gov/storage/report.pdf>.

According to the Justice Department, U.S. Attorney John Durham is “exploring the extent to which...Ukraine, played a role in the counterintelligence investigation” during the 2016 election.<sup>14</sup> However, the Justice Department has yet to inform Congress and the public whether it has begun an investigation into links and coordination between the Ukrainian government and individuals associated with the campaign of Hillary Clinton or the Democratic National Committee. Ukrainian efforts, abetted by a U.S. political party, to interfere in the 2016 election should not be ignored. Such allegations of corruption deserve due scrutiny, and the American people have a right to know when foreign forces attempt to undermine our democratic processes. Accordingly, please provide an answer to two questions from the July 2017 letter related to the Democrats’ collusion with Ukrainian officials:

1. Are you investigating links and coordination between the Ukrainian government and individuals associated with the campaign of Hillary Clinton or the Democratic National Committee? If not, why not?
2. Why hasn’t the Justice Department required Alexandra Chalupa to register as a foreign agent under FARA?

In addition, information has surfaced that raises new questions. A recent report described a note purporting to memorialize a meeting in Kiev between the Ukrainian Acting Prosecutor General, Yuriy Sevruck, and Burisma’s American legal team.<sup>15</sup> Yuriy Sevruck was the temporary replacement for the Prosecutor General that Vice President Biden demanded be fired, Victor Shokin. The note, reportedly written by Sevruck, states that “[t]he purpose of their visit was an apology for dissemination of false information by U.S. representatives and public figures on the activities of the Prosecutor General’s Office of Ukraine [Shokin] in regards to the investigation of criminal activities of Zlochevshy [Oligarch owner of Burisma Holdings].”<sup>16</sup>

The article also reports that Ukrainian prosecutors have unsuccessfully been trying to get information to Justice Department officials since the summer of 2018, possibly including “[h]undreds of pages of never-released memos and documents ... [that] conflict with Biden’s narrative”<sup>17</sup> that his actions in Ukraine had nothing to do with his son’s connections to Burisma. In light of this reporting, has the Justice Department obtained or been offered documents from Ukrainian officials related to these matters? If so, what were those documents?

We respectfully request that you respond to all of these questions no later than October 14, 2019.

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<sup>14</sup> Jeff Mordock, *John Durham investigating Ukraine in Trump-Russia origins probe*, The Washington Times (Sept. 25, 2019), <https://www.washingtontimes.com/news/2019/sep/25/john-durham-probing-ukraine-as-part-of-trump-russi/>

<sup>15</sup> John Solomon, *These once-secret memos cast doubt on Joe Biden’s Ukraine story*, The Hill (Sept. 26, 2019), <https://thehill.com/opinion/campaign/463307-solomon-these-once-secret-memos-cast-doubt-on-joe-bidens-ukraine-story>.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

We anticipate that your written reply and most responsive documents will be unclassified. Please send all unclassified material directly to the Committee. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. Although the Committees comply with all laws and regulations governing the handling of classified information, they are not bound, absent their prior agreement, by any handling restrictions.

Thank you in advance for your prompt attention to these matters. Should you have any questions, please contact Joshua Flynn-Brown of Chairman's Grassley's staff at (202) 224-4515 or Brian Downey or Scott Wittmann of Chairman Johnson's staff at (202) 224-4751.

Sincerely,

Charles E. Grassley  
Chairman  
Senate Finance Committee

Ron Johnson  
Chairman  
Senate Homeland Security  
and Governmental Affairs

# United States Senate

WASHINGTON, DC 20510

November 21, 2019

The Honorable David S. Ferriero  
Archivist of the United States  
U.S. National Archives and Records Administration  
700 Pennsylvania Avenue, NW  
Washington, DC 20408

Dear Mr. Ferriero:

We write to request records of multiple White House meetings that took place in 2016 between and among Obama administration officials, Ukrainian government representatives, and Democratic National Committee (DNC) officials. According to recent reports, in January 2016 “some of Ukraine’s top corruption prosecutors and investigators [met] face to face with members of former President Obama’s National Security Council (NSC), FBI, State Department and Department of Justice (DOJ).”<sup>1</sup> Other meetings included Alexandra Chalupa, a contractor for the DNC, who reportedly worked with Ukrainian government officials to undermine the Trump campaign.

According to Andrii Telizhenko, a political officer in the Ukraine Embassy in Washington, D.C. who participated in a January 2016 meeting, “U.S. officials volunteered . . . that they had an interest in reviving a closed investigation into payments to U.S. figures from Ukraine’s Russia-backed Party of Regions,” which refers to the investigation that involved Paul Manafort.<sup>2</sup> He “recalled DOJ officials asking investigators from Ukraine’s National Anti-Corruption Bureau (NABU) if they could help locate new evidence about the Party of Regions’ payments and its dealings with Americans.”<sup>3</sup>

During that same meeting, U.S. officials also reportedly brought up investigations relating to Burisma Holdings, the Ukrainian gas company that had hired then-Vice President Joe Biden’s son, Hunter, to serve as a board member.<sup>4</sup> According to Telizhenko, “U.S. officials told the Ukrainians they would prefer that Kiev drop the Burisma probe and allow the FBI to take it over.”<sup>5</sup>

According to that same reporting, there were multiple meetings between U.S. officials and Ukrainian authorities in January 2016. It noted that at least one of these meetings was held

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<sup>1</sup> John Solomon, *How the Obama White House engaged Ukraine to give Russia collusion narrative an early boost*, The Hill (Apr. 25, 2019), <https://thehill.com/opinion/white-house/440730-how-the-obama-white-house-engaged-ukraine-to-give-russia-collusion>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

in the White House's Old Executive Office Building (OEOB), and confirmed that Nazar Kholodnytskyy, the head of Ukraine's Specialized Anticorruption Prosecutor's Office, attended some but not all of these meetings.<sup>6</sup>

White House meeting records also show that Alexandra Chalupa, a Ukrainian-American operative "who was consulting for the Democratic National Committee" during the 2016 U.S. presidential election, attended numerous meetings at the White House, including one event with President Obama.<sup>7</sup>

Chalupa reportedly worked to get dirt on Trump from the Ukrainians. For example, in March 2016, Chalupa reportedly met with Valeriy Chaly, Ukraine's ambassador to the U.S., and Oksana Shulyar, a top aid to the Ukrainian ambassador, to share her alleged concerns about Manafort.<sup>8</sup> Reports state that the purpose of that initial meeting was to "organize a June reception at the embassy to promote Ukraine."<sup>9</sup> However, Ukrainian embassy official Andrii Telizhenko told *Politico* that Shulyar instructed him to assist Chalupa with research to connect Trump, Manafort, and the Russians.<sup>10</sup> He reportedly said, "[t]hey were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa" and that "Oksana [Shulyar] was keeping it all quiet...the embassy worked very closely with" Chalupa.<sup>11</sup> According to Telizhenko:

[Chalupa] said the DNC wanted to collect evidence that Trump, his organization and Manafort were Russian assets, working to hurt the U.S. and working with [Russian President Vladimir] Putin against the U.S. interests. She indicated if we could find the evidence they would introduce it in Congress in September and try to build a case that Trump should be removed from the ballot, from the election.<sup>12</sup>

White House visitor logs indicate that Chalupa visited the White House on at least 27 occasions.<sup>13</sup> In 2016, the year of the presidential election, she visited the White House at least five times on January 12, 2016; February 22, 2016; April 4, 2016; May 13, 2016; and June 14, 2016.<sup>14</sup>

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<sup>6</sup> *Id.*

<sup>7</sup> White House Visitor Access Records 2016 Log, [obamawhitehouse.archives.gov](https://obamawhitehouse.archives.gov), <https://obamawhitehouse.archives.gov/briefing-room/disclosures/visitor-records>.

<sup>8</sup> Kenneth P. Vogel & David Stern, *Ukrainian efforts to sabotage Trump backfire*, *Politico* (Jan. 11, 2017), <https://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> John Solomon, *Ukrainian Embassy confirms DNC contractor solicited Trump dirt in 2016*, *The Hill* (May 2, 2019), <https://thehill.com/opinion/white-house/441892-ukrainian-embassy-confirms-dnc-contractor-solicited-trump-dirt-in-2016>.

<sup>13</sup> Sara Carter, *Whistleblower and DNC Contractor Visited Obama WH. It Must Be Investigated*, *Saraacarter.com* (Nov. 8, 2019), <https://saraacarter.com/whistleblower-and-dnc-contractor-visited-obama-wh-it-must-be-investigated/>; White House Visitor Access Records 2008-2016 Logs, [obamawhitehouse.archives.gov](https://obamawhitehouse.archives.gov), <https://obamawhitehouse.archives.gov/briefing-room/disclosures/visitor-records>.

<sup>14</sup> White House Visitor Access Records 2016 Log, [obamawhitehouse.archives.gov](https://obamawhitehouse.archives.gov), <https://obamawhitehouse.archives.gov/briefing-room/disclosures/visitor-records>.

In order to better understand the nature of these meetings, including who attended and what was discussed, please provide the following information:

1. All records<sup>15</sup> relating to the five White House meetings listed above—January 12, 2016; February 22, 2016; April 4, 2016; May 13, 2016; and June 14, 2016—including, but not limited to:
  - a. Purpose and attendees;
  - b. Notes or transcriptions from the meetings; and
  - c. Communications about the meetings.
  
2. All records relating to meetings between and among White House officials, Andrii Telizhenko, Nazar Kholodnytsky, Oksana Shulyar, and Valeriy Chaly including, but not limited to:
  - a. Purpose and attendees;
  - b. Notes or transcriptions from the meetings; and
  - c. Communications about the meetings.

Please provide these documents as soon as possible but no later than 5:00 p.m. on December 5, 2019.

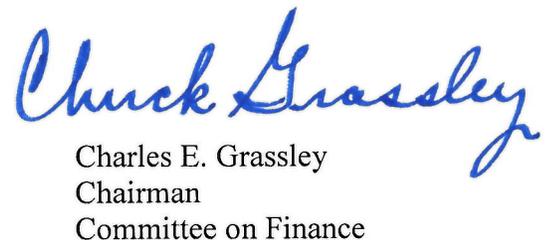
We anticipate that your written reply and most responsive documents will be unclassified. Please send all unclassified material directly to the Committees. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. Although the Committees comply with all laws and regulations governing the handling of classified information, they are not bound, absent their prior agreement, by any handling restrictions.

Thank you for your prompt attention. Should you have any questions, please contact Brian Downey or Scott Wittmann of Chairman Johnson's staff at 202-224-4751 and Joshua Flynn-Brown of Chairman Grassley's staff at 202-224-4515.

Sincerely,



Ron Johnson  
Chairman  
Committee on Homeland Security  
and Governmental Affairs



Charles E. Grassley  
Chairman  
Committee on Finance

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<sup>15</sup> "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

# United States Senate

WASHINGTON, DC 20510

December 3, 2019

Ms. Karen Tramontano  
Chief Executive Officer  
Blue Star Strategies  
888 17th Street, NW, Suite 800  
Washington, DC 20006

Dear Ms. Tramontano:

The Senate Homeland Security and Governmental Affairs Committee and the Committee on Finance (Committees) are investigating whether certain officials within the Obama administration had actual or apparent conflicts of interest because of Hunter Biden's role in Rosemont Seneca and related entities, or as a board member of Burisma Holdings (Burisma). In addition, the Committees are reviewing whether Hunter Biden or his associates had any role in the formulation of the Obama administration's policies with respect to Ukraine. Recent reports indicate that Blue Star Strategies (Blue Star) sought to leverage Hunter Biden's membership on the board of directors for Burisma in its communications and meetings with various U.S. government officials at the same time his father, then-Vice President Joe Biden, served as the "public face of the administration's handling of Ukraine."<sup>1</sup> Accordingly, as part of the Committees' inquiry, we write to request information with regard to Blue Star's work for Burisma.

A recent report indicates that, in November or December 2015, Blue Star officials met with Amos Hochstein, then-senior advisor to Vice President Biden on international energy affairs, and invoked Hunter Biden during a discussion of Burisma.<sup>2</sup> The report describes Mr. Hochstein as "a vocal proponent of Ukraine cracking down on Burisma," and explained that the purpose of the meeting was for "Blue Star Strategies [] to convince Hochstein (but [it] did not) that Burisma was on the level and did not warrant further investigation."<sup>3</sup>

Additional documents demonstrate how Blue Star used Hunter Biden's board membership to gain access and potentially influence matters at the State Department. In a February 24, 2016, email with the subject line "Burisma," a State Department official wrote:

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<sup>1</sup> Susan Crabtree, *Joe Biden emerges as Obama's trusty sidekick*, Wash. Examiner, Apr. 25, 2014, <https://www.washingtonexaminer.com/joe-biden-emerges-as-obamas-trusty-sidekick>.

<sup>2</sup> Tiana Lowe, *Joe Biden adviser Amos Hochstein took meetings with Burisma-hired lobbying firm*, Wash. Examiner, Nov. 7, 2019, <https://www.washingtonexaminer.com/opinion/joe-biden-adviser-amos-hochstein-took-meetings-with-burisma-hired-blue-star-strategies>.

<sup>3</sup> *Id.*

Per our conversation, Karen Tramontano of Blue Star Strategies requested a meeting to discuss with [Under Secretary] Novelli [U.S. Government] remarks alleging Burisma (Ukrainian energy company) of corruption. **She noted that two high profile U.S. citizens are affiliated with the company (including Hunter Biden as a board member). Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that the company is corrupt.** According to Tramontano, there is no evidence of corruption, has been no hearing or process, and evidence to the contrary has not been considered. Would appreciate any background you may be able to provide on this issue and suggested TPs for U/S Novelli's meeting.<sup>4</sup>

On March 1, 2016, Blue Star reportedly met with Under Secretary Novelli, and in April 2016 Blue Star reportedly met with Ukrainian prosecutors.<sup>5</sup> According to what appears to be contemporaneous notes by one of those Ukrainian prosecutors during the April 2016 meeting, Blue Star apologized about allegedly "false information" promoted by the U.S. Government about the prosecutors' handling of the investigation of Burisma.<sup>6</sup>

To assist the Committees' examination of the role that Hunter Biden and individuals within the U.S. government may have played with regard to lobbying for Burisma, we respectfully request the following information:

1. With respect to Blue Star's work for Burisma, please provide:
  - a. A description of how, and through whom, Blue Star first became aware of Burisma;
  - b. Blue Star's contract with and all other documents describing its relationship with Burisma;
  - c. The date Blue Star began work for Burisma;
  - d. The date for when Blue Star ended work for Burisma, if applicable;
  - e. A description of the services Blue Star provided Burisma;
  - f. The names and titles of all Blue Star employees, including contractors, that worked on matters relating to Burisma;

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<sup>4</sup> John Solomon, *Hunter Biden's Ukraine gas firm pressed Obama administration to end corruption allegations, memos show*, johnsolomonreports.com, Nov. 4, 2019, <https://johnsolomonreports.com/hunter-bidens-ukraine-gas-firm-pressed-obama-administration-to-end-corruption-allegations-memos-show/> (emphasis added).

<sup>5</sup> John Solomon, *These once-secret memos cast doubt on Joe Biden's Ukraine story*, The Hill, Sept. 26, 2019, <https://thehill.com/opinion/campaign/463307-solomon-these-once-secret-memos-cast-doubt-on-joe-bidens-ukraine-story>; Tiana Lowe, *Joe Biden adviser Amos Hochstein took meetings with Burisma-hired lobbying firm*, Wash. Examiner, Nov. 7, 2019, <https://www.washingtonexaminer.com/opinion/joe-biden-adviser-amos-hochstein-took-meetings-with-burisma-hired-blue-star-strategies>.

<sup>6</sup> *Id.*

- g. The names and titles of Burisma employees that worked with Blue Star employees or contractors;
  - h. The dates and descriptions, including a list of attendees, of all meetings between Blue Star representatives and Ukrainian officials regarding Burisma; and
  - i. The dates and descriptions, including a list of attendees, of all meetings about or related to Burisma between Blue Star representatives and U.S. officials. This includes, but is not limited to, the State Department, the Office of the Vice President, and the Executive Office of the President.
2. Please provide all records<sup>7</sup> between and among Blue Star and U.S. officials relating to its representation of Burisma. This includes, but is not limited to, the State Department, the Office of the Vice President, and the Executive Office of the President.
  3. Please describe Blue Star's document and email retention policies from 2014 to present.

Please provide a response as soon as possible but no later than December 17, 2019. As part of that response, please also confirm in writing Blue Star's ongoing obligation to preserve all records relevant to these matters.

Thank you for your prompt attention. Should you have any questions, please contact Brian Downey or Scott Wittmann of Chairman Johnson's staff at 202-224-4751 and Joshua Flynn-Brown of Chairman Grassley's staff at 202-224-4515.

Sincerely,



Ron Johnson  
Chairman  
Committee on Homeland Security  
and Governmental Affairs



Charles E. Grassley  
Chairman  
Committee on Finance

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<sup>7</sup> "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

# Senators Seek Interviews on Reported Coordination between Ukrainian Officials, DNC Consultant to Aid Clinton in 2016 Elections

s Site

*Alleged foreign interference, collusion demand due scrutiny*

Friday, December 6, 2019

**WASHINGTON** – Homeland Security and Governmental Affairs Chairman Ron Johnson (R-Wis.), Senate Finance Committee Chairman Chuck Grassley (R-Iowa) and Senate Judiciary Committee Chairman Lindsey Graham (R-S.C.) are seeking records from and transcribed staff interviews with two individuals reportedly involved in an effort by Ukrainian embassy officials to undermine the Trump campaign in the 2016 election. The interview and records requests are a continuation of an inquiry that Grassley [launched in 2017](#) following [news reports](#) that a Democratic National Committee (DNC) consultant solicited derogatory information on the Trump campaign from Ukrainian embassy officials prior to the 2016 election. According to those reports, elements of the Ukrainian government were actively working to undermine candidate Trump's electoral prospects in favor of Hillary Clinton.

“Contrary to the popular narrative in the ‘main stream media’ that Ukrainian involvement in the 2016 election has been debunked, or ‘no evidence exists,’ there are many unanswered questions that have festered for years. One of the reasons our nation remains so divided is the disconnect between those who are curious about any and all possible foreign interference and those who are not. Those who are curious, have a legitimate and understandable desire to know if wrongdoing occurred. The American public also has a right to know if no wrongdoing occurred. The sooner we get answers to the many unanswered questions, the sooner we can turn our attention to the many challenges our nation faces,” **Johnson said.**

“Election interference by any foreign entity is a serious matter. Since the last presidential election, our nation rightly expended significant resources to examine allegations of collusion and foreign interference by Russia to influence the outcome. While there was no collusion between the Trump campaign and Russia, we know that Russia meddled in our democratic processes. However, certain reports of collusion and interference involving Ukrainian officials have not been sufficiently examined, and the few answers that have been given are inadequate. With another election right around the corner, choosing to ignore these matters or conflating them with separate, uncorroborated allegations is no way to adequately safeguard the sanctity of our elections,” **Grassley said.**

“To believe that the mainstream media will investigate all things Russia or Ukraine is to hope against hope. The hacking of the Democratic National Committee’s emails was done by the Russians and no one else. Whether there’s a connection between Democratic operatives and Ukrainian officials during the 2016 election has yet to be determined. It will only be found by looking. We intend to look,” **said Graham.**

In addition to the production of relevant records, Johnson, Grassley and Graham are requesting staff-led transcribed interviews with then-DNC consultant Alexandra Chalupa, who reportedly solicited damaging information on Trump campaign associates and lobbied Congress to launch a congressional investigation months before the election. They are also seeking a similar interview with Andrii Telizhenko, a political officer within the Ukrainian embassy at the time. According to reports, Telizhenko was ordered to assist in an off-the-books investigation into ties between the Trump campaign and Russia he said was being coordinated between Ukrainian officials and “the Hillary team.” That investigation included then-Trump campaign advisor Paul Manafort’s prior business dealings in the region. A [CBS News analysis](#) of the reported arrangement noted that “it’s deeply unusual for an American campaign to be working with foreign assets like this, regardless of whether it’s Ukraine or Russia.”

Grassley and Johnson recently requested information from the National Archives and Records Administration regarding [White House meetings](#) in 2016 that included representatives from the Obama administration, Ukrainian government and the DNC. They also requested Justice Department records related to the [FBI’s interactions with Chalupa](#). The senators’ inquiries are unrelated to an uncorroborated theory that Ukraine was also behind the hack of DNC servers. U.S. intelligence officials and Special Counsel Robert Mueller’s investigation found that Russia was responsible for the DNC hack.

Grassley, Johnson, and Graham also have outstanding requests (see [here](#), [here](#), [here](#), and [here](#)) related to potential conflicts of interest and political influence by Ukrainian elements, including the natural gas firm Burisma, which employed as a board member Hunter Biden while his father was the U.S. vice president and public face of the Obama administration’s handling of Ukraine. Additional records and interviews related to these matters may also be necessary.

###

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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR  
DAVID M. WEINBERG, MINORITY STAFF DIRECTOR

February 24, 2020

The Honorable Gary C. Peters  
Ranking Member  
Committee on Homeland Security and Governmental Affairs  
U.S. Senate  
Washington, DC 20510

Dear Ranking Member Peters:

Pursuant to Rule 5(C) of the Rules of Procedure of the Committee on Homeland Security and Governmental Affairs, I write to notify you of my intent to issue a subpoena for attendance and the production of records to Andrii Telizhenko, a former consultant at Blue Star Strategies (Blue Star).<sup>1</sup> This subpoena is in furtherance of the Committee's ongoing work to address the many unanswered questions about potential conflicts of interest and the extent to which representatives of Burisma—including officials at Blue Star—used individuals with close personal connections to high level officials within the Obama administration to gain access to and potentially influence U.S. government agencies. This committee's oversight work is being conducted jointly with the Senate Committee on Finance and the Senate Committee on the Judiciary (the committees).

As you know, on December 6, 2019, the committees wrote to Mr. Telizhenko and requested the production of records and an interview about, among other topics, "whether certain officials within the Obama administration had actual or apparent conflicts of interest, or whether there was any other wrongdoing, because of Hunter Biden's role in Rosemont Seneca and related entities, and as a board member of Burisma Holdings."<sup>2</sup>

In response, Mr. Telizhenko confirmed his intention to "cooperate fully with the [committees'] investigation" and expressed his readiness "to provide any evidence" in his possession.<sup>3</sup> During the course of our conversations with Mr. Telizhenko, he informed us that he worked as a consultant for Blue Star and he has responsive records from his time there, specifically, records relating to work the firm did for Burisma. However, because Mr. Telizhenko's employment contract with Blue Star included a non-disclosure agreement (NDA),

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<sup>1</sup> According to Mr. Telizhenko, he was employed as a consultant at Blue Star Strategies from July 2016 through June 2017. Prior to his work at Blue Star Strategies, Mr. Telizhenko served as an official at the Embassy of Ukraine in Washington, D.C.

<sup>2</sup> Email from S. Comm. on Homeland Sec. & Governmental Affairs Staff to Andrii Telizhenko (Dec. 6, 2019) (on file with Comm.).

<sup>3</sup> Email from Andrii Telizhenko to S. Comm. on Homeland Sec. & Governmental Affairs Staff (Dec. 10, 2019) (on file with Comm.).

he believes that he is unable to produce these records to the committees without being compelled to do so by a congressional subpoena.

These records are important to the committees' investigation for several reasons. First, records indicate that Blue Star sought to leverage Hunter Biden's role as a board member of Burisma to gain access to and potentially influence matters at the State Department. In a February 24, 2016, email with the subject line "Burisma," a State Department official wrote:

Per our conversation, Karen Tramontano of Blue Star Strategies requested a meeting to discuss with [Under Secretary] Novelli [U.S. Government] remarks alleging Burisma (Ukrainian energy company) of corruption. **She noted that two high profile U.S. citizens are affiliated with the company (including Hunter Biden as a board member). Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that the company is corrupt.** According to Tramontano, there is no evidence of corruption, has been no hearing or process, and evidence to the contrary has not been considered. Would appreciate any background you may be able to provide on this issue and suggested TPs for U/S Novelli's meeting.<sup>4</sup>

On March 1, 2016, Blue Star met with Under Secretary Catherine A. Novelli in an effort "to understand the State Department's position regarding Burisma," and in April 2016 Blue Star then reportedly met with Ukrainian prosecutors.<sup>5</sup> According to what appears to be contemporaneous notes by one of those Ukrainian prosecutors during the April 2016 meeting, Blue Star apologized about allegedly "false information" promoted by the U.S. Government about the prosecutors' handling of the investigation of Burisma.<sup>6</sup>

On December 3, 2019, Chairman Charles Grassley and I sent a letter to Blue Star requesting information and records on this matter.<sup>7</sup> On December 18, 2019, Blue Star provided a written response to the committees and produced 83 pages of records showing interactions

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<sup>4</sup> John Solomon, *Hunter Biden's Ukraine gas firm pressed Obama administration to end corruption allegations, memos show*, johnsolomonreports.com, Nov. 4, 2019, <https://johnsolomonreports.com/hunter-bidens-ukraine-gas-firm-pressed-obama-administration-to-end-corruption-allegations-memos-show/> (emphasis added).

<sup>5</sup> See Letter from Karen Tramontano, Chief Executive Officer, Blue Star Strategies, to Sen. Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, and Sen. Charles E. Grassley, Chairman, S. Comm. on Finance (Dec. 18, 2019) (on file with Comm.); John Solomon, *These once-secret memos cast doubt on Joe Biden's Ukraine story*, The Hill, Sept. 26, 2019, <https://thehill.com/opinion/campaign/463307-solomon-these-once-secret-memos-cast-doubt-on-joe-bidens-ukraine-story>.

<sup>6</sup> Solomon, *These once-secret memos cast doubt on Joe Biden's Ukraine story*, *supra* note 5.

<sup>7</sup> Letter from Sen. Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, and Sen. Charles E. Grassley, Chairman, S. Comm. on Finance, to Karen Tramontano, Chief Executive Officer, Blue Star Strategies (Dec. 3, 2019), available at <https://www.grassley.senate.gov/sites/default/files/documents/2019-12-03%20RHJ%20CEG%20to%20Blue%20Star%20Strategies%20%28Burisma%29.pdf>.

between the firm and U.S. government agencies about Burisma.<sup>8</sup> Many of these records are emails arranging meetings between Blue Star and U.S. officials at different agencies, including the Departments of State, Commerce, and Energy.

Second, Blue Star's response to the committees was incomplete. Notably, although we asked Blue Star twice to identify its employees and contractors who worked on the Burisma matter, it never identified Mr. Telizhenko. Additionally, Mr. Telizhenko recently produced records to the committees that included some correspondence with Blue Star before he began his employment there (and, thus, not covered by his NDA) which indicate that Blue Star has records about its work on behalf of Burisma that are responsive to the committees' requests that it has not produced.

For example, the committees requested from Blue Star "the dates and descriptions, including a list of attendees, of all meetings between Blue Star representatives and Ukrainian officials regarding Burisma."<sup>9</sup> This month, Mr. Telizhenko provided the committees a copy of a May 27, 2016, letter he received from a Blue Star official which was sent from John Buretta, Burisma's U.S. attorney, to Yuriy Lutsenko, the General Prosecutor of Ukraine, requesting a meeting "on behalf of my client, Burisma Holdings Limited, and its owner Mykola Zlochevskiy."<sup>10</sup> Blue Star's Chief Executive Officer, Karen Tramontano, noted to the committees that she worked "in collaboration with Burisma's U.S. counsel, John Buretta."<sup>11</sup> The letter to Mr. Lutsenko and information about this meeting was not included in Blue Star's production to the committees.

Mr. Telizhenko also provided a March 23, 2016, email from a Blue Star official to individuals at the Embassy of Ukraine, including Oksana Shulyar, offering to help schedule a meeting between a Ukrainian official and Denis McDonough, the then-Chief of Staff to President Obama.<sup>12</sup> The committees did not receive this email or others related to it from Blue Star. It is unclear what the purpose of that meeting was and whether the meeting occurred. Mr. Telizhenko's responsive records on this matter from his time working for Blue Star will enable the committees to ensure that they are receiving complete and thorough productions from other subjects of this investigation, as well as ensure that the committees are gathering all relevant information to determine what actually occurred.

The American people have a right to know how their government officials conducted official business, whether certain parties received special treatment, and whether any apparent or actual conflict of interest unduly influenced U.S. policy. Gathering all of the relevant information is necessary to determine not only whether any wrongdoing occurred, but also if wrongdoing did not occur. Accordingly, pursuant to the committee rules, this letter constitutes

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<sup>8</sup> See Letter from Karen Tramontano, *supra* note 5.

<sup>9</sup> Letter from Chairman Ron Johnson and Chairman Charles E. Grassley, *supra* note 7.

<sup>10</sup> Letter from John D. Buretta, Counsel for Burisma Holdings, Ltd., to Yuriy Lutsenko, Gen. Prosecutor of Ukraine (May 27, 2016) (on file with Comm).

<sup>11</sup> Letter from Karen Tramontano, *supra* note 5.

<sup>12</sup> Email from Sally Painter, Chief Operating Office, Blue Star Strategies, to Andrii Telizhenko *et al.*, (Mar. 23, 2016) (on file with Comm.).

The Honorable Gary C. Peters  
February 24, 2020  
Page 4

official notice that I intend to issue a subpoena to Andrii Telizhenko, a former consultant at Blue Star Strategies, for the records and attendance described in the enclosed schedule.

Sincerely,



Ron Johnson  
Chairman

Enclosure

Mr. Andrii Telizhenko  
Sent Electronically

**Schedule A**

Please provide the following by March XX, 2020:

1. All records from your work for Blue Star Strategies (“Blue Star”) related to Burisma Holdings, including emails, memoranda, employment contract, or other electronically stored information (*e.g.*, text messages).
2. Your attendance, at a date and time to be determined by the Chairman, to discuss the matters described in Request 1.

RON JOHNSON, WISCONSIN, CHAIRMAN

ROB PORTMAN, OHIO  
RAND PAUL, KENTUCKY  
JAMES LANKFORD, OKLAHOMA  
MITT ROMNEY, UTAH  
RICK SCOTT, FLORIDA  
MICHAEL B. ENZI, WYOMING  
JOSH HAWLEY, MISSOURI

GARY C. PETERS, MICHIGAN  
THOMAS R. CARPER, DELAWARE  
MAGGIE HASSAN, NEW HAMPSHIRE  
KAMALA D. HARRIS, CALIFORNIA  
KYRSTEN SINEMA, ARIZONA  
JACKY ROSEN, NEVADA

# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR  
DAVID M. WEINBERG, MINORITY STAFF DIRECTOR

March 1, 2020

The Honorable Members of the  
Senate Committee on Homeland Security  
& Governmental Affairs

Dear Colleagues:

I am writing to inform you of my intention to schedule a business meeting to consider issuing a Committee subpoena pursuant to Rule 5(C) of the Rules of Procedure of the Committee on Homeland Security and Governmental Affairs.

On February 24, 2020, I notified Ranking Member Peters of my intent to issue a subpoena to an individual for records and attendance related to his work as a consultant at Blue Star Strategies (Blue Star). A copy of my notification letter to Ranking Member Peters—which includes a more detailed explanation of the Committee's oversight work leading up to the request and the subpoena schedule—is enclosed. On February 27, 2020, Ranking Member Peters notified me of his disapproval of the issuance of the subpoena.

Blue Star, a U.S.-based government and public affairs firm founded by Karen Tramontano (former deputy chief of staff to President Clinton) and Sally Painter (a former Senior Advisor for the Clinton administration), was a U.S. representative for a Ukrainian gas company, Burisma Holdings. As part of the Committee's ongoing investigation, it has received U.S. government records indicating that Blue Star sought to leverage Hunter Biden's role as a board member of Burisma to gain access to, and potentially influence matters at, the State Department.

As part of this investigation, the Committee requested and received documents from both Blue Star, and a former consultant for Blue Star, Andrii Telizhenko. Although Mr. Telizhenko expressed his willingness to "cooperate fully" with our investigation, he identified a limited subset of relevant records from his work with Blue Star that are responsive, but subject to a non-disclosure agreement (NDA) in his employment contract. In other words, he cannot provide this responsive information unless he is compelled to do so by subpoena. Unfortunately, Blue Star has not provided this information to the Committee. The Committee notified Blue Star that we consider their response to be incomplete, but they responded that they will not be producing any more documents. In fact, although the Committee asked Blue Star twice to identify its employees and contractors who worked on the Burisma matter, it never identified Mr. Telizhenko. Because Mr. Telizhenko's records and information would be responsive to the Committee's requests, and Blue Star has refused to produce them, a subpoena to Mr. Telizhenko for these records is appropriate at this time.

The Honorable Members of the  
Senate Committee on Homeland Security & Governmental Affairs  
March 1, 2020  
Page 2 of 4

Ranking Member Peters' disapproval letter stated that he is "concerned that the United States Senate and this Committee could be used to further disinformation efforts by Russian or other actors," and he asked "for the Committee to receive defensive briefings—specifically regarding Mr. Telizhenko—from relevant intelligence community and law enforcement officials."

I share the Ranking Member's interest in ensuring the Senate and this Committee not be used to advance disinformation. As discussed below, this is precisely why I and my staff have gone to great lengths to receive briefings and review and verify all information received by the Committee before making any of it public.

First, we informed Ranking Member Peters' staff that, through the Senate Judiciary Committee, the Federal Bureau of Investigation (FBI) already responded satisfactorily to a request for a defensive briefing on this matter. Ranking Member Peters' staff asked if they could speak with the FBI directly, and we were in the process of scheduling that discussion when we received his disapproval letter. Majority and minority Committee staff spoke with the FBI on February 28, 2020, and the FBI provided a response that directly addressed the stated concerns. I also invite Members to review the February 10, 2020, classified "intelligence product" that was referred to the Committee by Democrat Senators, together with additional information that the Committee will provide for your review in the SCIF.

Second, we narrowly drafted the subpoena to request only "records from [Mr. Telizhenko's] work for Blue Star Strategies [] related to Burisma Holdings" and his attendance to discuss those matters. Any concern about disinformation efforts is simply not relevant to whether or not the Committee should seek to obtain these specific records from Mr. Telizhenko's work for a private U.S. consulting company. We have already received productions from Mr. Telizhenko (which, to date, Ranking Member Peters' staff has refused to accept) confirming his contact with Blue Star about Burisma just prior to his employment. And we know that he worked for over a year on matters for Blue Star as it lobbied the U.S. and Ukrainian governments on behalf of Burisma. Mr. Telizhenko's additional records and information—which can easily be authenticated or challenged by Blue Star—could prove highly relevant to our oversight.

Third, the Committee's investigation is seeking information from the different parties involved precisely because this is how any investigation accurately determines what did and did not happen. The Committee recently reviewed relevant State Department documents that corroborate records Mr. Telizhenko already produced to the Committee, including correspondence with Blue Star officials not covered by his NDA. Blocking the receipt of relevant records, as any Committee member voting against this subpoena would be doing, only heightens the risk of "disinformation" because the Committee would not have access to all pertinent information. Accepting records and testing them against other information—not willfully ignoring potentially relevant information—is intended to discover and prevent disinformation, not advance it.

The Honorable Members of the  
Senate Committee on Homeland Security & Governmental Affairs  
March 1, 2020  
Page 3 of 4

One final point. This Committee has been investigating matters related to Burisma for nearly a year. Throughout, we have sought to keep the Committee's information-gathering on these matters largely outside the public spotlight, allowing us to first carefully review information to determine its authenticity and potential confidentiality. If there is a concern that a foreign actor could be using our Committee to provide disinformation to the public, it is someone else, not the Committee majority, who has facilitated those efforts by selectively leaking information to the press. One egregious example occurred last month, when someone improperly leaked information about what we allegedly asked for and received from the Treasury Department about suspicious financial transactions.

For these reasons, it is impossible not to question the motivations behind, and the timing of, Politico's inaccurate article regarding my meeting in a classified setting with Senator Burr and his staff—which "coincidentally" was published on the same day as the Ranking Member's letter disapproving of this subpoena. Apparently, some here in Congress believe they are above the law when they publicize the fact of a meeting and purported details of conversations that occurred in a classified setting. Conveniently for them, but unfortunate for the public and the truth, it is not appropriate or lawful for me to comment on the substance of those discussions. But taking into account all of the information I have learned throughout the course of this investigation, including my discussions with other Members, I am convinced obtaining Mr. Telizhenko's Blue Star documents and information is an important part of this investigation. I sincerely hope the Members of the Committee will agree and support this subpoena.

These coordinated and persistent efforts to undermine this investigation have not deterred me. But I do wonder: why would anyone object to the Committee receiving records about a Democrat lobbying firm appearing to strong-arm U.S. officials at the State Department for the benefit of a corrupt Ukrainian company? As I explained to the Ranking Member in my February 24 letter, "[t]he American people have a right to know how their government officials conducted official business, whether certain parties received special treatment, and whether any apparent or actual conflict of interest unduly influenced U.S. policy. Gathering all of the relevant information is necessary to determine not only whether any wrongdoing occurred, but also if wrongdoing did not occur." The proposed subpoena is probative of an issue within our Committee's jurisdiction, and is necessary to further the aims outlined here and in my February 24 letter to the Ranking Member. Accordingly, I will be scheduling a vote in the near future to approve issuing the enclosed subpoena.

Sincerely,



Ron Johnson  
Chairman

Enclosure

The Honorable Members of the  
Senate Committee on Homeland Security & Governmental Affairs  
March 1, 2020  
Page 4 of 4

cc: The Honorable Chuck Grassley  
Chairman, Senate Committee on Finance

The Honorable Ron Wyden  
Ranking Member, Senate Committee on Finance

The Honorable Lindsey Graham  
Chairman, Senate Committee on the Judiciary

The Honorable Dianne Feinstein  
Ranking Member, Senate Committee on the Judiciary

[REDACTED]

**COMMITTEE SENSITIVE – RUSSIA INVESTIGATION ONLY**

“no real fire behind all this smoke.”<sup>693</sup> The article ultimately was published by *U.S. News & World Report* on February 6, 2017.<sup>694</sup>

(U) Manafort embraced and promoted the narrative of Ukraine’s alleged involvement in the 2016 elections. For example, in a February 2017 meeting with Donald Trump Jr., Manafort discussed how Ukraine, not Russia had meddled in the election. In an email to Trump Jr., Manafort shared a *Politico* article that seems to have underpinned repeated claims by others helping advance this narrative.<sup>695</sup>

**From:** Paul Manafort [pmanafort@dmpint.com]  
**Sent:** 2/14/2017 4:15:07 PM  
**To:** Donald Trump Jr. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3e47f0472653400d85d07849e0f57b42-djtjr]  
**Subject:** Enjoyed our meeting

Don  
It was great to reconnect. I am pursuing the topics we discussed and will be back to you.

On a separate note, I have pasted below the Ken Vogel story in Politico that ran about 3 weeks ago. He lays out clearly the conspiracy to implement the disinformation campaign on me between the DNC/Obama Administration and the Govt of Ukraine. The Ukraine Govt has now totally backed off saying that there is no interest ever in me and the ledger was a falsified document.

Of course, now with the Flynn resignation, all of this will be dragged up again, with no facts and no basis for anything.  
Best  
Paul

<http://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>

(U) As described above, in late-February 2017 Manafort met with Kilimnik in Madrid to discuss the Russia-related investigations, including the one in Ukraine, which Kilimnik said was “going nowhere.”<sup>696</sup>

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<sup>693</sup> (U) *Ibid.*

<sup>694</sup> (U) Serhiy Lyovochkin, “Ukraine Can Win in the Trump Age,” *U.S. News & World Report*, February 6, 2017. Patten pleaded guilty to violating FARA based, in part, on his efforts drafting and placing this article with Kilimnik. Criminal Information, *United States v. W. Samuel Patten*, Case No: 1:18-cr-260 (D.D.C. August 31, 2018).

<sup>695</sup> (U) Email, Manafort to Trump Jr., February 14, 2017 (TRUMPORG\_76\_001248); see also Emails, Manafort and Trump Jr., February 2–6, 2016 (indicating that Manafort planned to meet Trump Jr. in Trump Jr.’s New York office on February 7, 2016). The *Politico* article Manafort sent would be used by others close to Manafort to make the case that Ukraine, not Russia, interfered in the U.S. elections. For example, on August 22, 2017, Kilimnik’s alias Twitter account, @PBaranenko, retweeted a story by *Sputnik* reporter Lee Stranahan who used the *Politico* article as a basis to legitimize his claims that DNC contractor Alexandra Chalupa and the Ukrainian government was “THE REAL 2016 Election Interference.” Tweet, @PBaranenko, August 22, 2018 (Retweet of @stranahan).

<sup>696</sup> (U) FBI, FD-302, Manafort 9/13/2018.

[REDACTED]

**COMMITTEE SENSITIVE – RUSSIA INVESTIGATION ONLY**

- (U) Kilimnik repeatedly tweeted information related to the Bidens and Ukraine, much of which originated from Solomon. For example, on April 1, 2019, Kilimnik retweeted Solomon’s own tweet linking to his article in *The Hill* titled, “Joe Biden’s 2020 Ukrainian nightmare: A closed probe is revived.”<sup>752</sup> On May 14, 2019, Kilimnik tweeted, “Ukraine’s Prosecutor General Lutsenko is ready to provide payment orders concerning Hunter Biden, says there are payments for millions USD” and attached a link to an article about the issue.<sup>753</sup>
  - (U) On September 16, 2018, Kilimnik retweeted a tweet by Donald Trump which stated, “The illegal Mueller Witch Hunt continues in search of a crime. There was never Collusion with Russia, except by the Clinton campaign.”<sup>754</sup>
  - (U) On August 22, 2018, Kilimnik retweeted *Sputnik* reporter Lee Stranahan’s tweet related to allegations that Alexandra Chalupa, a former DNC contractor, was involved in interfering in the U.S. elections and that the “real” election interference had been between the DNC and Ukraine.<sup>755</sup> Kilimnik retweeted Stranahan or others restating Stranahan’s claims on this theme dozens of times. In January 2019, Kilimnik used his persona’s account to send a single direct message to Stranahan.<sup>756</sup>
- [REDACTED]
- [REDACTED]

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<sup>752</sup> (U) Tweet, @PBaranenko, April 1, 2019 (Retweet of @jsolomonReports).

<sup>753</sup> (U) Tweet, @PBaranenko, May 14, 2019.

<sup>754</sup> (U) Tweet, @PBaranenko, September 16, 2018 (Retweet of @realDonaldTrump).

<sup>755</sup> (U) Tweet, @PBaranenko, August 22, 2018 (Retweet of @stranahan).

<sup>756</sup> (U) Twitter, @PBaranenko (direct messaging metadata).

<sup>757</sup> [REDACTED]

<sup>758</sup> (U) *Ibid.*

<sup>759</sup> (U) *Ibid.*

## Unified Painter Transcript Errata

- HSGAC Majority

Page	Line	Correction
71	23	It should read “him” rather than “in”
72	11	strike "as"
72	25	it should read "Telizhenko" rather than "Taliendo"
73	24	it should read "Telizhenko" rather than "Taliendo"
117	6	it should read "was an expert" rather than "was expert"
123	1	strike "Track 14"
151	11	it should read "Burisma" rather than "Burisma's"
159	11	it should read "know if" rather than "know is"
168	17	it should read "have briefed" rather than "have brief"

- Finance Majority

Page	Line	Correction
37	17	Sentence should read, “Zlochevsky bribed government officials?”
41	23	Strike “,” and insert “in the” such that it reads “supported by corruption in the natural gas and energy sector?”
45	10	capitalize “national interest”
130	21	“pertains” should read “pertained”
166	15	Insert “did not provide government relations assistance” such that it reads “...Strategies did not provide government relations assistance in...”

- HSGAC Minority
  - Pending
- Finance Minority
  - Pending
- Counsel

Page	Line	Correction
17	6	Replace “Care” with “Case”

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UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

- - - - -x

INTERVIEW OF: :

AMBASSADOR GEOFFREY R. PYATT :

:

- - - - -x

Room SD-342 and via Webex  
Dirksen Senate Office Building  
Washington, D.C.  
Tuesday, September 22, 2020  
11:07 a.m.

INTERVIEW OF AMBASSADOR GEOFFREY R. PYATT

1 APPEARANCES:

2

3 For the Witness:

4 SAMUEL M. WITTEN, ESQUIRE

5 AMY JEFFRESS, ESQUIRE

6 TIAN TIAN XIN, ESQUIRE

7 Arnold & Porter

8 601 Massachusetts Avenue, NW

9 Washington, D.C. 20001

10

11 For Senator Johnson:

12 JOSEPH C. FOLIO, III, Chief Counsel, HSGAC

13 SCOTT WITTMANN, Senior Professional Staff Member, HSGAC

14 BRIAN DOWNEY, Senior Investigator, HSGAC

15 LYDIA WESTLAKE, Senior Advisor, HSGAC

16 SARAH SMERLING, Professional Staff Member, HSGAC

17 WILLIAM SACRIPANTI, Professional Staff Member, HSGAC

18

19 For Senator Grassley:

20 JOSHUA FLYNN-BROWN, Deputy Chief Investigative Counsel,

21 Finance Committee

22 QUINTON BRADY, Investigative Counsel, Finance Committee

23

24

25

1 APPEARANCES: [Continued]

2

3 For Senator Peters:

4 ZACHARY SCHRAM, Minority Chief Counsel, HSGAC

5 ROY AWABDEH, Minority Senior Counsel, HSGAC

6 SOUMYALATHA DAYANANDA, Minority Senior Investigative

7 Counsel, HSGAC

8 YELENA TSILKER, Professional Staff Member

9

10 For Senator Wyden:

11 DAVID BERICK, Minority Chief Investigator, Finance

12 Committee

13 DAN GOSHORN, Minority Senior Counsel, Finance Committee

14 JOSH HEATH, Minority Investigator, Finance Committee

15 MICHAEL OSBORN-GROSSO, Minority Investigator, Finance

16 Committee

17

18 For the Department of State:

19 WILLIAM K. KILLION

20 Bureau of Legislative Affairs

21 KENNETH A. THOMAS

22 Office of the Legal Advisor

23

24

25

1	MAJORITY EXHIBITS	MARKED
2	1) Email, Redacted to Redacted, 11/23/15	38
3	2) Email, Zentos to Montgomery and Ellsworth, 1/21/16	47
4	3) Email, Bedingfield to Pyatt, Carpenter, Kahl,	
5	Hochstein, and Nuland, 12/6/15	92
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8	A) Letter, U.S. Senate Ukraine Caucus to	
9	Poroshenko, 2/12/16	83
10	B) Email, Segal-Knowles to Goldbrenner, 1/15/16	111
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1 P R O C E E D I N G S

2 MR. FOLIO: Good morning, everyone. Good evening,  
3 Ambassador Pyatt. This is a transcribed interview of  
4 Ambassador Geoffrey Pyatt being conducted by the Senate  
5 Committee on Homeland Security and Governmental Affairs and  
6 the Senate Committee on Finance. This interview was  
7 requested by Chairman Ron Johnson and Chairman Charles  
8 Grassley as part of the Committees' investigation of whether  
9 there were any actual or apparent conflicts of interest or  
10 any other wrongdoing with regard to the Obama  
11 administration's Ukraine policy or Burisma Holdings as well  
12 as related matters.

13 On April 30, 2020, Chairmen Grassley and Johnson  
14 requested Ambassador Pyatt's appearance for a voluntary  
15 transcribed interview.

16 Ambassador Pyatt, can you please state your full name  
17 for the record?

18 AMBASSADOR PYATT: Geoffrey Pyatt.

19 MR. FOLIO: Again, good evening, Ambassador Pyatt. My  
20 name is Joseph Folio, and I'm Chief Counsel with the  
21 Homeland Security and Governmental Affairs Committee staff.  
22 I am now going to ask the folks around the virtual room to  
23 introduce themselves, and I'll start with the remainder of  
24 Chairman Johnson's staff.

25 MR. DOWNEY: Good evening, Ambassador Pyatt. My name

1 is Brian Downey. I am a Senior Investigator with Chairman  
2 Johnson's office.

3 MR. WITTMANN: Hello, Ambassador Pyatt. My name is  
4 Scott Wittmann. I'm also with Chairman Johnson's office.

5 MR. SACRIPANTI: Hi, Ambassador. This is Will  
6 Sacripanti, also with Chairman Johnson's office.

7 MR. FOLIO: Thank you all. And now I'll ask  
8 representatives from Chairman Grassley's staff to introduce  
9 themselves.

10 MR. FLYNN-BROWN: Hello, Ambassador Pyatt. My name is  
11 Josh Flynn-Brown. I'm Deputy Chief Investigative Counsel  
12 with Chairman Grassley. Today I am joined with my colleague  
13 Quinton Brady. Thank you for your time.

14 MR. FOLIO: Thank you all. Will Ranking Member Peters'  
15 staff please introduce themselves?

16 MR. SCHRAM: Good afternoon, Ambassador. My name is  
17 Zack Schram. I'm Chief Counsel with Ranking Member Peters.  
18 Thank you for your participation in today's interview. The  
19 minority's participation today is not an endorsement of the  
20 investigation.

21 Based in part on the public statements of the Office of  
22 the Director of National Intelligence and the statement of  
23 the Department of Treasury announcing sanctions of Russia-  
24 linked election interference actors, Ranking Member Peters  
25 remains alarmed that this investigation amplifies an active

1 Russian disinformation campaign and is intended to interfere  
2 in our 2020 Presidential election 42 days from today.

3 We are conducting this interview remotely because we  
4 are in the midst of a pandemic that has created an  
5 extraordinary public health crisis in the United States.  
6 Since this investigation started, 200,000 Americans have  
7 died of COVID.

8 The Homeland Security and Governmental Affairs  
9 Committee has jurisdiction over pandemic preparedness and  
10 response, and yet this Committee has now spent more than  
11 twice as much time on the record in this investigation than  
12 it has devoted to all of its COVID hearings combined.

13 Ranking Member Peters believes that this investigation  
14 is a misuse of Committee resources that does not advance the  
15 health, safety, or economic security of Americans consistent  
16 with our Committee's mission. Minority staff have a right  
17 and responsibility to be here, and we will do our best to  
18 ensure that you are treated fairly, that the record is  
19 accurate and complete, and that the national security  
20 interest of the United States is protected.

21 I am joined by my colleagues Soumya Dayananda, Roy  
22 Awabdeh, and Yelena Tsilker.

23 MR. FOLIO: And just a brief response to Mr. Schram's  
24 opening statement, just to note that the claims that the  
25 investigation is based on a Russian disinformation campaign

1 are not grounded in fact. The investigation is based on  
2 collecting and reviewing U.S. Government records and  
3 speaking with current and former U.S. Government officials  
4 like Ambassador Pyatt [inaudible] , and part of the  
5 Committee's core jurisdiction is to explore conflicts of  
6 interest and understand what effect, if any, that has on  
7 U.S. policy.

8         With regard to COVID, we've held a half dozen or so  
9 hearings, and aside from the public-facing work, the  
10 Committee staff, several dozen of which continue to work  
11 tirelessly in the background to track these important issues  
12 for the American people.

13         I'm going to ask Ranking Member Wyden's staff to  
14 introduce themselves.

15         MR. GOSHORN: Good evening, Ambassador Pyatt. My name  
16 is Dan Goshorn. I'm Senior Investigative Counsel to Senator  
17 Wyden on the Finance Committee staff. I'm joined by my  
18 colleagues Dave Berick, our Chief Investigator, as well as  
19 Josh Heath and Michael Osborn-Grosso, who are Investigators  
20 on our staff. Our staff associates itself with the comments  
21 made by Zack Schram on the HSGAC minority, and we thank you  
22 for your time today.

23         MR. FOLIO: Thank you. And for the record, the State  
24 Department participants on the phone please introduce  
25 themselves.

1 MR. KILLION: You have Bill Killion with Legislative  
2 Affairs and Ken Thomas with the Office of the Legal Advisor.

3 MR. FOLIO: Thank you.

4 Ambassador Pyatt, I will now explain how the interview  
5 will proceed. The Federal Rules of Civil Procedure do not  
6 apply to any of the Committees' investigative activities,  
7 including transcribed interviews.

8 The way questioning will proceed is that we will  
9 alternate between the majority and minority staff for 1 hour  
10 each turn. The majority staff will begin and proceed for an  
11 hour, and the minority staff will then have an hour to ask  
12 questions. Then we will rotate back and forth until there  
13 are no more questions and the interview will be over. And  
14 we are going to endeavor to be very focused and respectful  
15 of your time. We appreciate all of the other many important  
16 issues that you must deal with as Ambassador to Greece.

17 AMBASSADOR PYATT: Yeah, thank you. I appreciate that.  
18 You'll see if you look on your news tickers, there's a new  
19 announcement from Turkey tonight that's blown up several  
20 weeks of U.S.-Greece diplomacy as well. So there's a lot  
21 going on out here. So if we can do this quickly, I'll be  
22 grateful, and it'll make the country safer.

23 MR. FOLIO: Understood. Thank you.

24 One other thing for the record. I just wanted to note  
25 that our colleague Lydia Westlake is also joining the

1 interview as well for Chairman Johnson's staff.

2           AMBASSADOR PYATT: Great. Hello, Lydia. It's been a  
3 while.

4           MS. WESTLAKE: Good morning, Ambassador, or good  
5 afternoon.

6           MR. FOLIO: All right, Ambassador Pyatt. So during the  
7 interview, again, we will do our best to limit the number of  
8 people who are directing questions at you during any given  
9 hour. That said, from time to time a follow-up or  
10 clarifying question may be helpful. And if that's so, you  
11 may be hearing from additional folks around the virtual  
12 table. Because it is virtual, I will ask everyone to please  
13 speak slowly, give others time to answer, and try not to  
14 talk over one another.

15           The court reporter is going to create a verbatim record  
16 of what we discuss today. With that in mind, Ambassador  
17 Pyatt, it's important that you respond to questions verbally  
18 because the reporter cannot properly record nonverbal  
19 responses or gestures. Do you understand this?

20           AMBASSADOR PYATT: Yes.

21           MR. FOLIO: We encourage the witnesses that appear  
22 before the Committees to freely consult with counsel. Do  
23 you have counsel present with you today?

24           AMBASSADOR PYATT: Yes, I do.

25           MR. FOLIO: And for the record, counsel, can you please

1 state your name?

2 MS. JEFFRESS: Yes, thank you. Amy Jeffress from  
3 Arnold & Porter, and I'm joined by my colleagues Sam Witten  
4 and Tian Tian Xin.

5 MR. FOLIO: Good morning, Amy, Sam, and Tian Tian.

6 MS. JEFFRESS: Thank you.

7 MR. FOLIO: Ambassador Pyatt, we want you to answer our  
8 questions in the most complete and truthful manner possible,  
9 so we are going to take our time. If you have any questions  
10 or do not understand what we ask, just let us know, and we  
11 will do our best to clarify or, if necessary, repeat.

12 This interview is unclassified, so if a question calls  
13 for any information that you know to be classified, please  
14 state that for the record as well as the basis for the  
15 classification. And then once you've done that, we will ask  
16 you to respond with as much unclassified information as  
17 possible. And if we need to have a classified session  
18 later, that can be arranged.

19 It's also the Committees' practice to honor valid  
20 common law privilege claims as an accommodation to a witness  
21 or party when those claims are made in good faith and  
22 accompanied by a sufficient explanation so the Committees  
23 can evaluate the claim. When deciding whether to honor the  
24 privilege, the Committee will weigh its need for the  
25 information against any legitimate basis for withholding it.

1           This interview is occurring without prejudice to any  
2 future discussions with the Committees, and we reserve the  
3 right to request your participation in future interviews or  
4 to compel testimony.

5           Ambassador Pyatt, if you need to take a break, please  
6 let us know. We ordinarily will take a break in between the  
7 1-hour questioning sessions. But if you need to take a  
8 break for any reason, let us know, and we will try to  
9 accommodate you.

10          Ambassador Pyatt, you're required to answer questions  
11 before Congress truthfully. Do you understand this?

12          AMBASSADOR PYATT: Yes.

13          MR. FOLIO: This also applies to questions posed by  
14 congressional staff. Specifically, 18 U.S.C. Section 1001  
15 makes it a crime to make any materially false, fictitious,  
16 or fraudulent statement or representation in the course of a  
17 congressional investigation, and this statute applies to our  
18 interview here today. Do you understand that?

19          AMBASSADOR PYATT: Yes.

20          MR. FOLIO: Is there any reason that you are unable to  
21 provide truthful answers to today's questions?

22          AMBASSADOR PYATT: No.

23          MR. FOLIO: Finally, we ask that you do not speak about  
24 what we discuss in this interview with anyone else who is  
25 outside the room in order to protect and preserve the

1 integrity of our investigation, and for that same reason, we  
2 also ask that you not remove exhibits or share those with  
3 others. Do you understand and agree?

4       AMBASSADOR PYATT: Yep. As long as everybody sticks to  
5 the same terms, I'm fine with that.

6       MR. FOLIO: All right. If there are no more questions,  
7 before we begin we will start with the majority's 1 hour of  
8 questioning, and I will turn the lead over to--

9       MS. JEFFRESS: Joe?

10       MR. FOLIO: Yes, sorry, Amy. Go ahead.

11       MS. JEFFRESS: Just to amplify on Ambassador Pyatt's  
12 response there, we understand your desire to keep this  
13 interview confidential, and we would respect that. But if  
14 anyone mischaracterizes Ambassador Pyatt's testimony and we  
15 feel the need to correct that, then we will no longer feel  
16 bound by confidentiality because someone else will have  
17 breached it, and we hope you understand.

18       MR. FOLIO: We do, Amy. Thank you for clarifying. And  
19 as I think we've explained, we'll give you an opportunity to  
20 review the transcript as well, but understand those unique  
21 circumstances you're describing.

22       MR. SCHRAM: Joe, just to add, Ambassador Pyatt, the  
23 Committee passed a motion to release the transcripts in full  
24 with appropriate redactions for national security concerns  
25 at the same time that the Committee's report is released.

1 So I just want you to be aware that the Committee has  
2 expressed its intention to release the transcripts publicly.

3       AMBASSADOR PYATT: Yeah, thanks. I would just ask that  
4 I have the opportunity to review the transcript for  
5 correctness, as I did when I was debriefed by the SSCI a  
6 couple of years ago on similar topics.

7       MR. FOLIO: Yes, you will.

8       All right. Now I'll turn the questioning over to  
9 another member of Chairman Johnson's staff. Thank you.

10       MR. DOWNEY: Hi, Ambassador Pyatt. Thank you for your  
11 time today and your service to the country.

12       We're going to get started off here. Did you serve as  
13 Ambassador to Ukraine from July 2013 to August of 2016?

14       AMBASSADOR PYATT: Yes.

15       MR. DOWNEY: As U.S. Ambassador to Ukraine, who did you  
16 report to?

17       AMBASSADOR PYATT: I reported to the President through  
18 the Assistant Secretary of State and the Secretary.

19       MR. DOWNEY: And who were the Assistant Secretary of  
20 State and the Secretary of State at the time that you were  
21 Ambassador to Ukraine?

22       AMBASSADOR PYATT: Victoria Nuland was the Assistant  
23 Secretary, and John Kerry was the Secretary.

24       MR. DOWNEY: Who were your main Deputies at Embassy  
25 Kyiv?

1           AMBASSADOR PYATT: I had a series of Deputies. My  
2 first was Bruce Donahue. He sadly passed away while I was  
3 posted in Ukraine from a health problem. I had a series of  
4 interim Deputies thereafter, and then George Kent finally  
5 arrived as the full-time Deputy, if I'm remembering  
6 correctly, sometime in 2016. He did a couple of temporary  
7 stints. I had a series of temporary Deputies after Bruce,  
8 who was forced to depart post for medical treatment.

9           MR. DOWNEY: What role did Vice President Joe Biden  
10 play in articulating and implementing U.S.-Ukraine policy  
11 while you were U.S. Ambassador to Ukraine?

12          AMBASSADOR PYATT: He was one of--the Vice President  
13 was the leading voice for the administration's policy as  
14 part of a large interagency team that helped to mobilize the  
15 U.S. Government in response to Vladimir Putin's unprovoked  
16 invasion and occupation of Ukraine, the first time that that  
17 had happened in the history of the post-World War II  
18 security order in Europe. But it was a whole-of-Government  
19 effort, and I had the opportunity and the privilege to work  
20 with President Obama; with the Vice President; with the  
21 National Security Adviser; with Avril Haines, the Deputy;  
22 with Tony Blinken, Deputy Secretary of State; Victoria; with  
23 almost every Assistant Secretary of State who had any  
24 involvement with Ukraine. Our INL program was quite large.  
25 We had a robust--thanks to Congress, including support from

1 Senator Johnson, we had a robust foreign assistance program.  
2 So it was a very large enterprise that I eventually came to  
3 lead.

4 MR. DOWNEY: So how did Vice President Biden's leading  
5 role on U.S.-Ukraine policy, how did that work with the role  
6 of Secretary of State John Kerry during that time period?

7 AMBASSADOR PYATT: So we were part of a large  
8 interagency enterprise. Most U.S. foreign policy is driven  
9 at the embassy level by the country team, so I had my  
10 Deputy, my State Department colleagues, my CIA, FBI,  
11 Department of Justice, USAID. It's one of the things that  
12 makes the U.S. Government's presence overseas so effective  
13 and so unique, and we all worked back through our  
14 interagency counterparts up to and including the Cabinet  
15 officers. I can't remember how many Deputies Committee  
16 meetings, Principals Committee meetings I was involved with  
17 over the course of my 3 years there. There were a lot.

18 I particularly remember the day that President  
19 Yanukovich fled the country because we had two Deputies  
20 Committees meetings, a double header. My first was probably  
21 around 8 o'clock in the morning Washington time, and the  
22 last one was well after midnight Kyiv time. So there was a  
23 lot of interagency process. The Vice President was a very  
24 important voice in that process, but he was just one part of  
25 a large interagency policy.

1 MR. DOWNEY: So now we're going to go into the U.S.  
2 loan guarantees to Ukraine, and we understand that there  
3 were three \$1 billion loan guarantee agreements between the  
4 United States and Ukraine during the period of 2014 to 2016.  
5 Ambassador Pyatt, what role did you play in setting and  
6 monitoring conditions for U.S. loan guarantees to Ukraine?

7 AMBASSADOR PYATT: So let me back up and do a little  
8 bit of big picture because I think it's important to  
9 understand those loan guarantees in context.

10 There were three big lines of effort that characterized  
11 U.S. policy towards Ukraine after the Russian invasion that  
12 I talked about earlier. The first and most important was  
13 the kinetic one, to help the Ukrainian people, the Ukrainian  
14 armed forces resist a brutal invasion of their sovereign  
15 country by Vladimir Putin and the Russian military. At the  
16 peak of the fighting, which was the winter of 2014, spring  
17 of 2015, a little bit in the summer of 2014, we estimated  
18 there were nearly 10,000 regular Russian soldiers in  
19 Ukraine. Some of Russia's most advanced weapons systems  
20 like the Smerch and the Buk missile which shot down an  
21 airplane full of European and American citizens. So our  
22 first line of effort was to prevent what I clearly saw as  
23 Vladimir Putin's effort to dismember that country, to do a  
24 full Yugoslavia, and I was really privileged in that period  
25 that a lot of the Senate senior leadership agreed with me on

1 this, members like Senator McCain, Senator Corker, Senator  
2 Johnson, Senator Portman. And it was a whole-of-Government  
3 effort involving all the power that the United States can  
4 bring to bear, including our military; our security  
5 assistance, which was critically important, because nobody  
6 else was able to do it; and the intelligence support that we  
7 were able to provide.

8       The second line of effort was the economic one because  
9 when the corrupt President, Yanukovych, fled the country in  
10 February of 2014, he left behind an empty treasury with very  
11 large debts to the international financial institutions.  
12 There was a real risk of the economy bleeding out, and the  
13 loan guarantees that you referred to were part of the U.S.  
14 response to that threat, coordinated jointly with the  
15 international financial institutions. We worked closely  
16 with the IMF, with the World Bank, but also with the  
17 Europeans who carried their share of the burden.

18       And then the third line of effort related to why the  
19 revolution happened in the first place. The revolution  
20 against President Yanukovych was driven not by the United  
21 States or the CIA, as Vladimir Putin would have us believe,  
22 but it was driven by the desire of the Ukrainian people to  
23 live in a normal European society. Their deep  
24 disappointment at the profound corruption that President  
25 Yanukovych had allowed to flourish under his rule,

1 corruption that went back to really the Soviet Union and the  
2 way the Soviet Union ran things, but against which the  
3 Ukrainian state had made very little progress in the first  
4 decades of that country's independence.

5       So the loan guarantees from the beginning were targeted  
6 on those second two lines of effort: first, to provide  
7 critical support to Ukraine so that Putin was not able to  
8 achieve through economic coercion what he failed to achieve  
9 through military coercion; and, second--and this was  
10 reflected in the loan guarantee condition precedents, which  
11 we developed across the interagency community, which were  
12 notified to Congress because it involved congressional  
13 appropriations and which were the subject of constant back-  
14 and-forth with Washington, but also with our congressional  
15 appropriators, those conditions precedent were targeted on  
16 trying to support that process of reform. So everything  
17 from changes to the energy sector, which had been one of the  
18 real epicenters of Russian malign influence in Ukraine, as  
19 it is in much of Europe, where Russia continues to use even  
20 today energy as a political tool to exert influence,  
21 something I know Senator Johnson cares about a lot because  
22 he and I talked about it over 7 years now. So energy sector  
23 reform, fiscal reform to rebalance the economy,  
24 privatization, and progress on anticorruption.

25       The Ukrainians called their revolution the Revolution

1 of Dignity, and what meant was their desire to live with  
2 dignity and to live in a normal society with rule of law,  
3 with freedom of speech, with the accountability of their  
4 rulers. So the conditions precedent in each of those  
5 instances in those three loan guarantees, which, as far as I  
6 know, have been fully repaid to the U.S. Government, but the  
7 conditions precedent were all shaped to support those two  
8 big lines of effort that I just described to you.

9 MR. DOWNEY: Understood. So the third \$1 billion loan  
10 guarantee to Ukraine, we understand it was signed on June 3,  
11 2016, and then entered into force September 27, 2016. Does  
12 that sound accurate?

13 AMBASSADOR PYATT: It sounds about right. I was  
14 confirmed at the beginning of July. I was actually in  
15 Washington, D.C., for this job through a chunk of June, but  
16 this was obviously all unfolding at about the same time. So  
17 I think your chronology is roughly accurate. There would  
18 have been a signing ceremony which was done by me and the  
19 Ukrainian Prime Minister, the USAID Mission Director, and  
20 USAID plays a huge role on all of these issues because they  
21 have the technical and financial expertise. So you'd have  
22 to consult with them on the exact moment.

23 MR. DOWNEY: So a condition for the third U.S. loan  
24 guarantee was the removal of Ukraine's prosecutor general,  
25 Viktor Shokin. Ambassador Pyatt, when did the U.S.

1 government decide to condition a third loan guarantee on the  
2 dismissal of then Prosecutor General Shokin?

3       AMBASSADOR PYATT: So I don't actually recall the exact  
4 date or even the exact month. What I can tell you is that  
5 there was a gradual evolution in the thinking of the  
6 interagency community about these issues.

7       As I said, probably the most remarkable of many  
8 remarkable days that I had in Ukraine was the first Sunday  
9 after Yanukovich fled the country. He fled Kyiv on a  
10 Saturday--Friday night, Saturday morning with his gold bars  
11 and helicopter and everything else.

12       I went downtown. We were focused--that first Saturday  
13 was largely focused on the security mission and efforts now,  
14 which is my first responsibility.

15       But that Sunday, I went down to see the acting  
16 president at that point, who was the Speaker of Parliament,  
17 Mr. Turchinov. And what I will always remember was driving  
18 up towards the Parliament, which I had done many times  
19 before at that point, and eventually, my Cadillac couldn't  
20 get through the crowds anymore because there were so many  
21 people with strollers and parents and flowers, and they were  
22 all walking to Parliament. And it was an incredibly moving  
23 occasion. It was basically the Ukrainians reclaiming their  
24 democracy, and it was really telling to me that in the face  
25 of the departure of this tyrant--and they weren't pulling

1 down statues. They weren't--they weren't breaking into  
2 offices. They were walking to the Parliament with their  
3 kids and, as I said, with flowers and candles.

4       And I think it was an incredibly powerful moment. I  
5 remember in the days thereafter talking with my  
6 ambassadorial colleagues from other countries, and I work  
7 very closely with the EU ambassador, the Germany ambassador,  
8 the British, the French. We all were saying to yourself,  
9 "Wow. This is really amazing, and maybe this time is really  
10 going to be different. Maybe Ukraine is really going to  
11 live up to the aspirations of its people to move towards a  
12 more European future."

13       This is a big country. It's 45 million people. So it  
14 will have--it's going to have a decisive impact on the  
15 future of Europe and European security.

16       That, of course, is exactly why Vladimir Putin found it  
17 to be such a threat. That's why he invaded a few weeks  
18 later, because he thought he could get away with it.

19       MR. DOWNEY: So, Ambassador Pyatt-

20       AMBASSADOR PYATT: No, let me finish on this, please.

21       And so we were very focused from the beginning on how  
22 to live up to those aspirations of the Ukrainian people, how  
23 to help the Ukrainian people build the rule of law society  
24 that they wanted. That was one of our very early  
25 priorities. So we were really pleased.

1 I had terrific support from the Department of Justice.  
2 I had a very good Department of Justice regional legal  
3 advisor. I also had terrific support from State INL. So  
4 the State Department's INL Bureau provided funding for a  
5 major police reform program all about what had happened in  
6 Georgia, where basically they reinvented the police, but  
7 also for advice to the prosecutor general's office.

8 The prosecutor general, you have to understand in  
9 Ukraine, it's not like the United States. It's an office  
10 that combines extraordinary powers. So it's sort of a  
11 combination of the U.S. Attorney, the Department of Justice,  
12 and a judge. So there's an incredible concentration of  
13 power, and this office had been used in the past in post-  
14 Soviet societies, including Ukraine, to pursue politically  
15 motivated prosecutions.

16 So, for instance, Yulia Tymoshenko, whose case I know  
17 Senator Johnson was very familiar with because we worked on  
18 it, he asked me about it in my confirmation. Yulia  
19 Tymoshenko was a victim of what we called "politically  
20 motivated prosecution," driven by the prosecutor general's  
21 office.

22 So we began working on these anticorruption issues  
23 almost from the days of--the first days of the new  
24 government. USAID had programs working with civil society  
25 organizations in Ukraine who were key partners of the United

1 States, and we had our advisors inside the prosecutor  
2 general's office, who were there to, at the beginning, we  
3 hoped, build a new institution.

4 By 2014--or excuse me--2015, it was clear that those  
5 aspirations were not being fulfilled, and that a lot of the  
6 bad behaviors that we had seen under President Yanukovich  
7 were replicating themselves under the new government.

8 So that's sort of how we came to these issues, and you  
9 have to understand that we had a broad anticorruption agenda  
10 that followed multiple lines of effort, all of which,  
11 however, were aimed at empowering the Ukrainian people and  
12 giving them the kind of society they wanted.

13 I'm obviously boring you with this.

14 MR. DOWNEY: No. There's people in the room, and  
15 there's a lot of computers that are on the virtual table.  
16 So I don't want to interrupt you by cross-talk.

17 AMBASSADOR PYATT: But it's really important to  
18 understand the context of where this all came from and what  
19 were [inaudible].

20 MR. SCHRAM: [Inaudible].

21 MR. DOWNEY: No, we understand. We just want to be  
22 appreciative of your time, Ambassador.

23 Zack, I think you were not muted.

24 MR. SCHRAM: Apologies.

25 MR. DOWNEY: Okay. So, Ambassador Pyatt, based on

1 public reporting, we understand that Vice President Biden  
2 conditioned the third \$1 billion loan guarantee on the  
3 removal of Viktor Shokin. Do you know when this was first  
4 communicated to the government of Ukraine?

5       AMBASSADOR PYATT: So I would disagree with the premise  
6 of your question. It wasn't Vice President Biden who  
7 conditioned the assistance. It was the--our interagency  
8 policy. It was a policy that was developed based on the  
9 data that my embassy was reporting from our contacts in  
10 Ukraine civil society, data that the intelligence community  
11 was reporting based on their sources, and particularly  
12 important, the advice and data that was provided by the U.S.  
13 Department of Justice and our experts who were inside the  
14 prosecutor general's office.

15       And that's the important thing to understand. We have  
16 a very high level of visibility into this institution  
17 because of the technical assistance that we were provided.

18       So it was a U.S. government policy, which was amply  
19 debated in many DCs and PCs. I can't tell you now when that  
20 was decided, but I'm quite confident that the documentary  
21 record fully reflects exactly how that unfolded. And I'm  
22 also quite confident that it was briefed to Congress at the  
23 time.

24       MR. DOWNEY: So did you speak with individuals at the  
25 National Security Council about developing this condition,

1 including Charlie Kupchan, Elisabeth Zentos, and Eric  
2 Ciaramella?

3       AMBASSADOR PYATT: You know, I don't remember, five  
4 years now, who exactly I discussed it with.

5       What I can tell you is that it was a--it was definitely  
6 a topic of various interagency discussions and the way these  
7 processes worked in the Obama administration, which is very  
8 similar to what I worked with here in the Trump  
9 administration is you have a layered process. So,  
10 typically, a policy initiative like what I'm doing right  
11 now, my Greece-Turkey work. The day-to-day worker-bee  
12 engagement happens at the level of the sub-IPC, and that  
13 would include people like NSC directors, like Eric  
14 Ciaramella, and dozens of other people across the  
15 government.

16       Then you have the IPC process, which is typically  
17 chaired at the level of an NSC senior director and special  
18 assistant to the President, so somebody like Charlie Kupchan  
19 in the context that you're referring to, and then finally at  
20 the deputies and at the principals level.

21       So these things, it's an iterative process. Generally,  
22 certainly in the Obama administration, my experience was  
23 there were more of these meetings, not less, and they all  
24 had summaries of conclusions, and all of those would  
25 document the evolution of the policy.

1           What I will tell you is at the beginning, it was not  
2 our expectation that Shokin's removal would be necessary to  
3 achieve our policy goals. I had--and again, this would be  
4 reflected in classified embassy cables and classified  
5 instructions which I received, with talking points that I  
6 used with President Poroshenko, with Mr. Shokin, with other  
7 senior Ukrainian officials, as we sought to help the  
8 Ukrainian government and in particular President Poroshenko  
9 who had been elected as a reformer with support of all of  
10 those people who are out putting flowers in front of  
11 Parliament after Yanukovych left.

12           So we were working with him and the expectation that he  
13 too was trying to figure out how to navigate around the  
14 legacy of corruption that he had inherited.

15           I sometimes--I gave speeches where I talked about old  
16 Ukraine and new Ukraine, and I still think that's a very  
17 useful framework to understand what we were doing in those  
18 days. You had the old forces, the energy oligarchs, the  
19 political parties, the media outlets they owned, and then  
20 you had new Ukraine, which were a lot of young people,  
21 people who were new to politics, the people who were out on  
22 the Maidan who wanted to build a modern European state.

23           MR. DOWNEY: So was this condition for the \$1 billion  
24 loan guarantee and the removal of Viktor Shokin--was that  
25 developed and communicated to Vice President Joe Biden in

1 December of 2015?

2           AMBASSADOR PYATT: I don't remember when the Vice  
3 President would have weighed in on this.

4           In that process that I talked about--you know,  
5 typically, sometimes there would be a principals meeting,  
6 and it was not--it was not unprecedented for the Vice  
7 President to participate in a principals meeting. And I can  
8 remember those meetings, and I would remember Susan Rice as  
9 the chair, as National Security Advisor, saying, "You know,  
10 I think we need to have the guys go back and work on this  
11 some more." So then they would send it back down to the IPC  
12 level or the DC level.

13           I believe you've spoken to Tony Blinken. Tony, of  
14 course, was the Deputy Secretary of State in those days.

15           MR. DOWNEY: No, we haven't spoken to Mr. Blinken yet.

16           AMBASSADOR PYATT: Okay. So as the Deputy Secretary or  
17 State, he played--the deputies--the deputies are where the  
18 magic happens in the U.S. interagency process. The sweat  
19 and tears happen at the sub-IPC level. The consensus  
20 emerges at the deputies level, and the principals, they're  
21 all busy people. They're Cabinet officers. Their job is to  
22 bless the policy and make sure that those are the  
23 President's objectives.

24           MR. DOWNEY: So did you communicate this Shokin  
25 condition for the third loan guarantee to Vice President

1 Biden?

2           AMBASSADOR PYATT: No. I cannot--no. I mean, I think  
3 you--again, you misunderstood my presentation.

4           I would have gotten an instruction. I would have  
5 gotten the instruction which says we, the interagency, have  
6 decided that the loan guarantee condition for the third loan  
7 guarantee will include--and that would be something--and  
8 there would always be an anticorruption condition, but  
9 eventually, that condition evolves towards "President  
10 Poroshenko, you need to have Shokin removed."

11           I would have then received that instruction, and I  
12 would have communicated that instruction to President  
13 Poroshenko. I would have communicated it to people around  
14 President Poroshenko, including his chief of staff and  
15 national security advisor, both of whom were almost daily  
16 interlocutors. And all of that would be-[inaudible]  
17 classified State Department [inaudible].

18           MR. DOWNEY: So following up on what you just said,  
19 Ambassador, do you know when specifically you communicated  
20 this third loan condition to President Poroshenko and his  
21 staff?

22           AMBASSADOR PYATT: I do not. It would have been in  
23 roughly that period you described, and obviously, I didn't--  
24 I didn't get through to him or he didn't act on it. And  
25 eventually, we used the visit of Vice President Biden in

1 December, I believe, as an opportunity to really drive home  
2 that point. The Vice President, Secretary of State Kerry  
3 was involved in this effort. This was a whole-of-government  
4 effort, and it reflected the best advice that we across the  
5 administration gave to him.

6       Again, you know, it's important to understand I have a  
7 very--I've been an ambassador for seven years now. I've  
8 survived a long time under Republican and Democratic  
9 administrations, and as an ambassador, you develop a very  
10 good sense of what your role is. And my role is to  
11 represent the President and the people of the United States  
12 as best as I can.

13       I will occasionally provide my advice, but policy comes  
14 from Washington, and I've been part of that process as a  
15 PDAS. I was three years as the PDAS for South and Central  
16 Asia working on Afghanistan, working on India. So I have a  
17 good sense of how the interagency process works on the  
18 Washington side as well and have appropriate sense of  
19 humility about where I--what my role is.

20       I'm at the pointy end of U.S. diplomacy effort, but I'm  
21 not the guy throwing the spear.

22       MR. DOWNEY: So you mentioned Vice President Joe  
23 Biden's trip to Ukraine in December of 2015, and I believe  
24 the Vice President gave a speech to Ukraine's Rada--

25       AMBASSADOR PYATT: Right.

1 MR. DOWNEY: --during that trip. Can you walk us  
2 through that trip that the Vice President had in Ukraine in  
3 December 2015 and whether you were in the room when Vice  
4 President Biden allegedly gave his threat to President  
5 Poroshenko about the third loan guarantee and the firing of  
6 Viktor Shokin?

7 AMBASSADOR PYATT: You know, that's five years ago. I  
8 honestly can't remember the specifics. I'm sure I was in  
9 the room. I was fortunate to have a relationship of trust  
10 and confidence with Vice President Biden. I saw him  
11 consistently advance the policy interests of the United  
12 States of America.

13 I can tell you if I was in the meeting, I would have  
14 been there as a notetaker, and my reporting message from the  
15 meeting would have been put into the appropriate channels.  
16 And it's available somewhere.

17 MR. DOWNEY: So to be clear, Ambassador Pyatt, during  
18 the December 2015 trip by Vice President Biden to Kyiv, do  
19 you recall the Vice President threatening to withhold aid  
20 unless Viktor Shokin was removed?

21 AMBASSADOR PYATT: You know, again, I do not remember--  
22 and I don't want to misinform the committee--in terms of  
23 when precisely that condition was communicated. It would  
24 have been recorded in the paper trail. There were many--  
25 Vice President Biden, as we now know, thanks to the Russian

1 government, had many phone calls with President Poroshenko,  
2 and these issues would have been dealt with there as well.

3 We also had other visitors who were part of the  
4 interagency team working on these issues, and they would  
5 have communicated very similar messages.

6 I had a couple of visits from Jack Lew, the Secretary  
7 of Treasury, and anticorruption was on the agenda very time  
8 he came. I had visits from Deputy Secretary Blinken, and he  
9 talked about anticorruption. Assistant Secretary Nuland was  
10 a very frequent visitor. She always raised these issues.  
11 She also always met with Ukrainian civil society to  
12 understand what their perspectives were, with the Ukrainian  
13 opposition parties to understand what the impediments were.

14 MR. DOWNEY: So that's why we appreciate your time  
15 today, Ambassador, because if there is documents or paper  
16 that exists, those have not been provided to Chairman  
17 Johnson or Chairman Grassley at this point.

18 AMBASSADOR PYATT: Anybody who has worked with me in  
19 the State Department will tell you that I am a studious  
20 cable drafter. I'm a great believer in the historical  
21 record, and I--

22 MR. DOWNEY: You and George--you and George Kent take a  
23 lot of notes, it seems.

24 AMBASSADOR PYATT: I write more cables. George writes  
25 more emails. I'm a believer in cables. I think cables--the

1 discipline of a cable distributed across the U.S. government  
2 is what helps make our policy process smarter, and it's also  
3 what the historians use to understand what was happening.  
4 And I fully recognize that I served as Ambassador of  
5 Ukraine. So I'm very--and I want the historians to get at  
6 that.

7 MR. DOWNEY: So was Viktor Shokin removed by the Rada  
8 in December 2015?

9 AMBASSADOR PYATT: You'll have to tell me. I don't  
10 remember the exact date. I think you may have it a little  
11 bit early, but you'll know better than me. That was 5 years  
12 ago.

13 MR. DOWNEY: Okay. I'm going to turn some questions  
14 over to my colleague, Scott Wittmann, for a minute.

15 Thank you, sir.

16 MR. WITTMANN: Hi, Ambassador. Can you hear me?

17 AMBASSADOR PYATT: Yep.

18 MR. WITTMANN: Thank you for your time today, sir.  
19 Just a few clarifying questions regarding your recollection  
20 of the meeting that you said you attended with Vice  
21 President Biden and President Poroshenko in December 2015.  
22 Vice President Biden has said, at a, I guess, Q&A in January  
23 2018, in front of the--at the Council on Foreign Relations,  
24 he described an interaction he had with President  
25 Poroshenko, and he said, and I'll just quote it here, the

1 transcript, Vice President Biden said, "I said I'm telling  
2 you you're not getting the billion dollars. I said you're  
3 not getting the billion. I'm going to be leaving here in, I  
4 think it was about six hours. I looked at them and said,  
5 I'm leaving in six hours. If the Prosecutor is not fired  
6 you're not getting money. Well, son of a [expletive  
7 deleted], he got fired, and they put in place someone who  
8 was solid at the time."

9           Ambassador, is this--did this--is this your  
10 recollection of what occurred in the meeting that you  
11 attended with the Vice President and President Poroshenko?

12           AMBASSADOR PYATT: Again, I, you know, I was privileged  
13 to be part of a lot of meetings with President Poroshenko  
14 and Vice President Biden. I listened in on a lot of phone  
15 calls. The anecdote that Vice President Biden told in those  
16 remarks is certainly consistent with the leading role that  
17 he played in conveying the U.S. Government interagency  
18 position that we had concluded that Mr. Shokin, despite many  
19 changes and best efforts, including support from U.S.  
20 Department of Justice technical advisors, had become an  
21 insurmountable obstacle to building a less corrupt Ukrainian  
22 political system.

23           And, therefore, it was in the best interests of our  
24 shared agenda to build a modern European and function  
25 economy to see Mr. Shokin removed. And there was nobody who

1 was more effective at that than Vice President Biden,  
2 because he did so with the credibility of the President of  
3 the United States, and he also did so with the credibility  
4 earned as somebody who clearly demonstrated throughout this  
5 crisis, and through his phone calls with President  
6 Yanukovich before the revolution, that he cared about  
7 Ukraine's future and he recognized the importance of  
8 Ukraine's future to the political future of our Euro-  
9 Atlantic community.

10 MR. WITTMANN: Understood. I think right now we're  
11 just trying to understand when this threat occurred, and  
12 based on your recollection, since you were in the room,  
13 whether your recollection lines--aligns with what Vice  
14 President Biden told the public in January 2018. So I just  
15 want to go back and just sort of pin down the extent to  
16 which you recall whether or not the Vice President  
17 specifically said, "I'm going to be leaving in six hours.  
18 If the Prosecutor is not fired, you're not getting the  
19 money." Is that your recollection?

20 AMBASSADOR PYATT: I was--I'm not--I can't go there  
21 because I simply don't know. I can't remember. It was five  
22 years ago. As I said, I consistently--I saw, over three  
23 years, Vice President Biden consistently act just like  
24 Senator McCain acted and Senator Portman and Chairman Corker  
25 and Senator Johnson acted, in the interest of the United

1 States, in the furtherance of the bipartisan policy that saw  
2 corruption as top priority.

3 I will assure you that that meeting that Vice President  
4 had during his December visit was not the first time that we  
5 had aired that U.S. policy position. That policy position  
6 had been conveyed earlier, in various channels, in various  
7 ways. I am also confident, knowing Vice President Biden's  
8 skill as a politician, that he did a better job than the  
9 rest of us in focusing President Poroshenko on the urgency  
10 of the issue.

11 You know, the precise words, I'm sorry, I just--I  
12 simply cannot tell you what happened in a conversation five  
13 years ago.

14 MR. WITTMANN: Was there ever an instance that you  
15 recall where Vice President Biden conveyed this condition to  
16 President Poroshenko, and within six hours of conveying this  
17 condition Viktor Shokin was fired?

18 AMBASSADOR PYATT: Again, you've got--you have a better  
19 command of the tick-tock than I can have here, four years  
20 after I ceased being U.S. Ambassador to Ukraine. I  
21 literally, you know, if I had the cables, if I had my  
22 calendars--I don't have access to my calendar from those  
23 days. We have to--all of that gets retired as a  
24 presidential record.

25 So I can't confirm or deny or corroborate or not

1 corroborate the tick-tock that you're describing, but I'm  
2 confident, again, that it's reflected in the documentary  
3 record.

4 MR. WITTMANN: Would it be unusual if this type of  
5 threat was made with, you know, some sort of time commitment  
6 of six hours, and then for that condition to be met within  
7 that period of time, six hours?

8 AMBASSADOR PYATT: You know, there was a lot about  
9 Ukraine that was unusual. The stakes were very high. The  
10 level of U.S. commitment was very high. This was \$100  
11 million of U.S. taxpayer money, and all of us treated it  
12 very, very seriously.

13 It would certainly not be--on a whole variety of issues  
14 that I worked on in Ukraine, whether anticorruption or the  
15 Minsk agreements, and the whole question of negotiations  
16 with Putin, there were a lot of high-drama moments. Those  
17 continued right up until my very last day in Ukraine.  
18 Literally, my very last day before I got on the airplane I  
19 came into the office in the morning and I had an email from  
20 Avril Haines on a totally separate issue than this, which  
21 told me that I had a message that I needed to get to  
22 President Poroshenko right there, that day. That's the  
23 nature of the crisis diplomacy that we were engaged in, and  
24 important my office, the office of the American Ambassador,  
25 and U.S. policy was to saving that country from the

1 concerted effort that Putin was making to dismember it.

2 MR. WITTMANN: Understood. So just so I understand,  
3 sir, based on your testimony it sounds like the condition to  
4 remove Shokin had been conveyed to Ukrainian officials prior  
5 to December 2015, and then it was reiterated by Vice  
6 President Biden in December 2015, on this trip. Is that  
7 accurate?

8 AMBASSADOR PYATT: That would be my recollection.

9 MR. WITTMANN: Okay. I appreciate that.

10 I'd like to enter into the record our first exhibit,  
11 which will be Tab 16, Will, please.

12 [Pyatt Exhibit No. 1 was  
13 marked for identification.]

14 MR. WITTMANN: Ambassador, I don't know if you have  
15 these papers in front of you but it should appear on your  
16 screen as well. And these are Bates numbers ending in 83--

17 AMBASSADOR PYATT: Yeah, you can take it down. I just  
18 got this one so I printed it out.

19 MR. WITTMANN: --to 94. Okay, great. So as you can  
20 see, Ambassador, this is--

21 AMBASSADOR PYATT: Can we make that go away so I can  
22 see you guys again?

23 MR. WITTMANN: Sure. Yeah, go ahead, Will.

24 AMBASSADOR PYATT: Thanks.

25 MR. WITTMANN: Okay. And as I'm sure you can see,

1 Ambassador, these are what looks like talking points for  
2 Vice President Biden for his upcoming meetings in Ukraine in  
3 December 2015. The dates on the talking points are November  
4 22, 2015. So obviously there is time between when these  
5 talking points are dated and then the actual date of the  
6 trip.

7 So what we are trying to understand, with your help,  
8 sir, is to what extent these talking points were changed, if  
9 they were, and the extent to which these talking points  
10 correspond to your recollection of the meeting the Vice  
11 President had with President Poroshenko.

12 The first page I want to draw your attention to is  
13 page--the Bates number ending in 86. And just let me know  
14 when you're ready, sir.

15 AMBASSADOR PYATT: Sorry. Just give me some words and  
16 I'll find it quicker that way.

17 MR. WITTMANN: Sure. At the top of it, it says--

18 AMBASSADOR PYATT: I've got 86 here. I've got it.

19 MR. WITTMANN: Okay. Great. At the very top  
20 paragraph, sir, the second sentence, it begins with, "You  
21 will sign on our third billion-dollar loan guarantee and  
22 publicly announced FY15 U.S. assistance for the first time,"  
23 and then it continues.

24 So the question is, as part of these talking points,  
25 was State Department advising the Vice President at this

1 point that he was, in fact, going to sign the third billion-  
2 dollar loan guarantee?

3           AMBASSADOR PYATT: So I can't help you on that. If you  
4 look on the clearance page you will see that I actually  
5 didn't see these documents until you guys sent them to me.

6           MR. WITTMANN: Okay.

7           AMBASSADOR PYATT: And that would be exactly the same  
8 way if I was hosting Vice President Pence here, or Secretary  
9 Pompeo, who--news flash--I will have with me in just a  
10 couple of days. I would typically not see these materials.

11          I would say, just to understand how this process works,  
12 and in terms of how the drafting process works, first of  
13 all, as you know, in a visit like this, the briefing  
14 materials are often prepared weeks in advance, because they  
15 have to go through a long clearance process. Also, these  
16 were prepared as sensitive but unclassified points so that  
17 they could be carried by people in their briefcases and  
18 whatnot. And some of the topics that we would have been  
19 dealing with, at these two meetings in particular, the Prime  
20 Minister and the President, would be classified. And so  
21 those couldn't be conveyed here.

22          You know, typically what also happens--and I remember,  
23 for instance, if you look at my bio you will see long ago I  
24 worked for Deputy Secretary of State, and part of my job  
25 when I was on the Deputy Secretary of State's staff was to

1 take briefing memos like this, which would be laboriously  
2 assembled by the building, and then write a little 3x5 card  
3 on top of it, "Dear Mr. Deputy Secretary of State, here are  
4 three points you really need to make." Because very few  
5 U.S. principals will pull out these talking points and start  
6 reading them. The principal is going to want it boiled down  
7 to the essence.

8       These three big messages are certainly consistent with  
9 what I recall as our three priorities at the time, one being  
10 reform and political unity, and the government was  
11 struggling with political unity at that moment. The other  
12 was the question of our ongoing assistance, in which  
13 Congress played such a critical role. And then the third is  
14 the thing I talked about earlier, which was our diplomacy  
15 with the Germans and Europeans on the question of  
16 negotiations with Putin, and whether Putin was going to be  
17 able to get at the negotiation table when he couldn't get on  
18 the ballot there.

19       So those are certainly consistent, but it would never  
20 be my experience that a principal at the level of a Cabinet  
21 officer or the Vice President or the President would take a  
22 State Department product like this and sort of use that as  
23 their script.

24       MR. WITTMANN: Understood. So I want to go to the next  
25 page, Bates 87, and draw your attention to, sir, the second

1 bullet point under number 2, U.S. Support. It states, "I  
2 will sign a billion-dollar loan guarantee with you today."

3       AMBASSADOR PYATT: Right.

4       MR. WITTMANN: Was it the State Department's plan or  
5 expectation that Vice President Biden was going to Ukraine  
6 in December 2015 to sign the third billion-dollar loan  
7 guarantee?

8       AMBASSADOR PYATT: Yeah, again I would go back to my  
9 point to your colleague about my role at the pointy end of  
10 diplomacy. So there's a huge amount of churn that goes on  
11 behind me, or behind an Ambassador, or behind an Embassy, to  
12 develop U.S. policy. So I can't tell you when and how that  
13 shift happened. Certainly, you know, I would have written,  
14 and the Embassy would have sent to the Vice President a  
15 scene-setter cable, which was a "Dear Mr. Vice President, we  
16 look forward to welcoming you again to Ukraine on December  
17 blah. You know, from where I sit these are the top  
18 priorities." Likewise, I would have met the Vice President  
19 at the airport and as soon as he landed given him my best  
20 sense of what the landscape was and what he was walking  
21 into.

22       But I simply--I'm not in a position to tell you, and  
23 even if you had gotten me five years I wouldn't have been  
24 able to be in a position to tell you when that change  
25 happened, because that would have come out of the Washington

1 interagency process that we talked about earlier.

2 MR. WITTMANN: And for something as significant as  
3 this, as signing the third billion-dollar loan guarantee,  
4 obviously these talking points are dated November 22, 2015.  
5 the trip is just a couple of weeks away. For something as  
6 significant as signing the loan guarantee, would those  
7 decisions be made in only a couple weeks' time and perhaps  
8 changed within that period of time?

9 AMBASSADOR PYATT: That would be perfectly normal.  
10 It's the character of U.S. Government policymaking. And,  
11 you know, there's both the challenge--and again, I will go  
12 back to my PGAS role. I was working on South Asia issues.  
13 You know, this is written by a desk officer. This is  
14 somebody who is 16 levels removed from the Vice President  
15 from a policymaking process. And she or he are trying to do  
16 their best job of distilling the policy direction that comes  
17 from the DC, PC, IPC process I talked about, clearing it  
18 with all the other offices that you see listed here,  
19 including F, which are the resource people, who are the  
20 worst ones to get clearance from in our building.

21 So this is an imperfect art, and what it ultimately  
22 comes down to is the principal's decision, and, you know, in  
23 this case how the Vice President based--and there would  
24 typically, before a big trip like this, a day or two before  
25 he got on the airplane there would have been a deputies' or

1 a principals' level discussion. I would imagine, based on  
2 my conversations with him that the Vice President also would  
3 have a discussion with the President, and saying, "Hey,  
4 boss, this is what I'm doing," and, you know, take it from  
5 there.

6       So again, this was a normal interagency process,  
7 completely consistent with everything I've done in the U.S.  
8 Government for the past 31 years, and certainly consistent  
9 with my experience in the Trump administration, and the way  
10 I get my instructions in my current role. And as I alluded  
11 to, it's not public yet but I'll have Secretary Pompeo here  
12 on Sunday, and I can guarantee you that there are memos like  
13 this that are also working their way through the building.  
14 I can also guarantee you that other than a phone call with  
15 me last week, Secretary Pompeo probably hasn't thought a  
16 whole lot about this yet.

17       And then, by the way, then he will get on the airplane,  
18 and he will sit down with his briefing book and his closest  
19 advisors, and he will say, "Okay, guys, we're going to  
20 Greece. What are we trying to do?" That's the question--  
21 when I was working on the NSC staff and traveling on the  
22 plane, that's the question you have to be ready to answer.  
23 But that's not going to happen three weeks before because of  
24 some piece of paper drafted at the desk level.

25       MR. WITTMANN: I'm going to turn it back over to my

1 colleague, Mr. Downey.

2 MR. DOWNEY: Ambassador Pyatt, just to round out our  
3 questions regarding Vice President Joe Biden's visit to  
4 Ukraine in December of 2015 and the alleged threat that Vice  
5 President Biden gave to Poroshenko, after the trip  
6 concluded, did you hear from President Poroshenko or anyone  
7 in the Ukrainian government about that threat? Wouldn't  
8 they talk to you, to the U.S. Ambassador, about the threat  
9 the Vice President allegedly delivered?

10 AMBASSADOR PYATT: So, again, this was--I simply can't  
11 recall the tick-tock of when these different discussions  
12 that were happening. I can guarantee you that they are  
13 reflected in U.S. government embassy telegrams and all of  
14 which would have been classified.

15 I can also tell you that I had a number of very  
16 emotional conversations personally with President Poroshenko  
17 on this issue focused on--and not just about Mr. Shokin,  
18 also focused on other individuals who we believe were  
19 associated with bad activities around the President's  
20 office.

21 There was another member of Parliament who was very  
22 close to President Poroshenko, a guy named Martynenko. I  
23 remember getting a screaming phone call from one of the  
24 President's senior staff, President Poroshenko's senior  
25 staff, complaining that I had--that I had--they pointed

1 remarks about his activities and that it had gotten back to  
2 President Poroshenko.

3       So this was a long running theme. It was not about one  
4 visit. It was about a longstanding U.S. policy priority,  
5 which evolved over a period of time, and at which multiple  
6 U.S. principals took a cut at the problem. But no principal  
7 was more effective in doing so than Vice President Biden.

8       MR. DOWNEY: Okay. We're going to move forward in the  
9 timeline here to January of 2016, Ambassador, and in January  
10 of 2016, the Ukrainian delegation visited the United States,  
11 which included a number of senior-level prosecutors. Do you  
12 have any recollection of that delegation going over in  
13 January 2016?

14       AMBASSADOR PYATT: I had no recollection of it until  
15 you guys sent me the documents, but again, I want you guys  
16 to understand what I was doing in Ukraine. I was fighting a  
17 war against Vladimir Putin. We were trying to save the  
18 country. Our anticorruption effort was one strand of a  
19 multifaceted effort.

20       I was fortunate we had a fantastic level of  
21 congressional support. I had close to 100 congressional  
22 visitors over two and a half years. So there was a lot of  
23 stuff going on, and as I remember--I'm looking for the  
24 documents now, but as I remember these particular visitors,  
25 they weren't terribly senior. And they would be the sort of

1 Ukrainians that were traveling back and forth to Washington,  
2 D.C., pretty much every week. So it would not be unusual at  
3 all that my staff wouldn't be bothering me with this, and  
4 the machine would just be grinding on.

5 MR. DOWNEY: Okay. So on January 19th, 2016, this  
6 Ukrainian delegation visited the White House and met with  
7 members of the National Security Council.

8 We're going to have this as Exhibit 2, Will, which is  
9 Tab 7. This is a National Archives document, Bates numbered  
10 1823.

11 [Pyatt Exhibit No. 2 marked  
12 for identification.]

13 AMBASSADOR PYATT: Can you flash it up? It's a lot  
14 easier for me to find it, what I'm sort of looking for. Can  
15 you scroll it up? It's empty.

16 Okay. Is this the one you guys sent yesterday?

17 MR. DOWNEY: I believe so. Yes, sir.

18 AMBASSADOR PYATT: Okay. I don't have a secretary to  
19 help me here or anything. So let me just go through my  
20 stuff here. I'm sure--I know I've got it.

21 Yeah, okay. It's a Liz Zentos email. Got it. You can  
22 take it away.

23 MR. DOWNEY: So on January 21st, 2016, two days after  
24 the Ukrainian delegation met with members of the National  
25 Security Council, you sent to Elisabeth Zentos, Eric

1 Ciaramello, and Anna Makanju, an excerpt of an article that  
2 stated the U.S. State Department has made it clear to the  
3 Ukrainian authorities that it links the provision of a \$1  
4 billion loan guarantee to Ukraine to the dismissal of  
5 Prosecutor General Viktor Shokin.

6 The article stated that this position became known  
7 during the Ukrainian delegation's meetings with U.S.  
8 officials.

9 AMBASSADOR PYATT: Right.

10 MR. DOWNEY: Ambassador Pyatt, your email to Ms.  
11 Zentos, Mr. Ciaramello, and Ms. Makanju simply said buckle  
12 in.

13 AMBASSADOR PYATT: Right.

14 MR. DOWNEY: What did you mean by buckle in?

15 AMBASSADOR PYATT: So this was--this was published in  
16 Zerkalo Nedeli, one of the most prominent Greek--or excuse  
17 me--Ukrainian newspapers. I knew that would happen sometime  
18 today--prominent Ukrainian newspaper. So this would have  
19 been--I'm surmising, based on the way I characterized it,  
20 this was likely the first time that there was public  
21 reporting in Ukraine of the condition that had been  
22 established. So that was January 21st, and my reference to  
23 buckle in would have been that there was going to be  
24 political controversy around this now since heretofore we  
25 had managed these issues through private diplomacy, not

1 through--not through public declarations.

2 MR. DOWNEY: So after this article was published, Mr.  
3 Ambassador, did you receive communications with Ukrainian  
4 officials about whether this was true or not, whether this  
5 condition was the actual official position of the United  
6 States government?

7 AMBASSADOR PYATT: I don't recall, but I certainly  
8 wouldn't have been surprised. I mean, I would have told  
9 them--they knew what the condition was. We had communicated  
10 it with them, and so I would also emphasize these  
11 individuals--I talked about old Ukraine and new Ukraine.  
12 Vitaly Kasko and David Sakvarelidze were the personification  
13 of new Ukraine. These were young deputy prosecutors general  
14 who had worked very closely with my regional legal advisor,  
15 Jeff Cole, who was superb, a superb DOJ professional, and  
16 other advisors. They were the one--they were the good guys  
17 who were trying to clean up the prosecutor general's office.

18 So it may have been the case that they had not--that  
19 Kasko and Sakvarelidze were not aware that we had  
20 communicated this condition because Poroshenko and Shokin  
21 would have had no interest in telling reformers inside the  
22 government that the Americans were on the side of the  
23 reformers, which we were.

24 But certainly, if the government had come to me, my  
25 answer to them, the President's chief of staff, who would

1 have been the most likely one to bring my cell phone--I  
2 would have said, "You knew this was coming, and you know why  
3 we've gotten to where we are." So that was the--that's the  
4 context for that.

5 And then you see here in Eric Ciaramello's email of the  
6 21st, he notes to--he notes the fact that there was an IPC  
7 dealing with these issues, which is consistent with what I  
8 told you about this interagency process, and that that IPC  
9 had agreed on the need to come up with some interagency  
10 press guidance on the U.S. policy position.

11 MR. DOWNEY: So on Bates 1822 of this exhibit, Mr.  
12 Ciaramello responded to you, Mr. Ambassador, saying, "Yikes.  
13 I don't recall this coming up in our meeting with them on  
14 Tuesday, although we did discuss the fact that the PGO IG  
15 condition has not yet been met."

16 AMBASSADOR PYATT: Right.

17 MR. DOWNEY: How did you interpret Mr. Ciaramello's  
18 comment of "Yikes"?

19 AMBASSADOR PYATT: So I can't interpret it. You would  
20 have to ask Eric that question.

21 What I would say is you see here the clear  
22 documentation of what I explained earlier, that we had a  
23 condition associated with reforming the prosecutor general's  
24 office. I believe you have that document also. You guys  
25 sent it to me this afternoon. So that was a widely

1 coordinated interagency, U.S. government position.

2 I think Eric--again, I don't want to speculate because  
3 you're asking me to speculate on his state of mind, and I'm  
4 not in a position to do that. I've told you what I had in  
5 mind when I said buckle in, but I think you have to ask Eric  
6 what he meant by "Yikes."

7 Sorry to go lawyer on you, but that's--I think that's  
8 the truthful answer.

9 MR. DOWNEY: So do you know, Mr. Ambassador, from these  
10 January 2016 meetings of this Ukrainian delegation had to  
11 Washington if the condition of the loan guarantee for  
12 Shokin's removal came up in any of their meetings?

13 So they met with NSC. They met with State Department  
14 officials. They met with the FBI.

15 AMBASSADOR PYATT: I have no idea.

16 MR. DOWNEY: Justice officials.

17 AMBASSADOR PYATT: I have no idea, but it obviously did  
18 because they then went to their friends--Zerkalo Nedeli was  
19 a reformist newspaper. So they went to their friends in  
20 Zerkalo Nedeli and said, "Hey, guys. I'm in Washington.  
21 Everybody said the Americans are not going to release the  
22 loan guarantee until Shokin's dismissed." So it obviously  
23 came up in those meetings.

24 MR. DOWNEY: So you're saying that potentially members  
25 of this Ukrainian delegation spoke to this Ukrainian news

1 outlet?

2           AMBASSADOR PYATT: I'm certain of that. I mean,  
3 that's--everything I know about how the Ukrainian press  
4 works suggests to me that one of these guys got on their  
5 phone and called Kyiv and said, "We've just finished a bunch  
6 of meetings at the State Department, and guess what?"

7           MR. DOWNEY: In January 2016 when the Ukrainian article  
8 came out, was it a problem that this information about the  
9 loan guarantee being conditioned to Shokin's removal leaked?

10          AMBASSADOR PYATT: You know, I--let me answer that this  
11 way. As Ambassador, you're not paid to be popular. You're  
12 paid to advance the interest of the United States of  
13 America.

14          I have discovered through trial and error over many  
15 years now that I get more done by speaking frankly. I think  
16 I have a reputation as a straight shooter, and if you talk  
17 to Lydia, she'll tell you that's also my reputation with  
18 Congress.

19          You usually--when you start down a road on a difficult  
20 issue like this--and I've dealt with lots of difficult  
21 issues in my ambassadorial role. Delivering messages--you  
22 know, you get paid to be ambassador to deliver the messages  
23 people don't want to hear. The messages that people want to  
24 hear, they'll save that for the Cabinet principal, but--so  
25 I've delivered lots of unpopular messages in my time.

1           And when you do that, you always recognize there's a  
2 risk that somebody is going to leak it because they don't  
3 like it, and they want to create political pressure or--in  
4 this case, again, it's really important to understand where  
5 Kasko and Sakvarelidze were coming from. They were the good  
6 guys. So they would have pumped this. They would have--  
7 they would have put this out back in Ukraine to put pressure  
8 on Shokin and to demonstrate that the Americans were really  
9 serious about reform to the prosecutor general's office.

10           So you always know this is going to happen. You never  
11 look forward to it, and it can make your job more difficult.  
12 But as I said, that's what I get paid the modest bucks for.

13           MR. DOWNEY: So was this information in January 2016  
14 that you believe leaked from this delegation--wasn't that  
15 information classified at the time?

16           AMBASSADOR PYATT: I can't speak to that issue. You  
17 know, what somebody from Washington would have said, what  
18 exactly the talking points were, you know, the most--I'm  
19 overseas. So Lot of my--most of my sensitive diplomatic  
20 communications come in classified channels, but oftentimes a  
21 cable that I get, an instruction that I get tomorrow will be  
22 classified confidential, and it will tell me go tell the  
23 Greek government this. So you're asking me, you know, is  
24 that a leakage of information when I tell the Greek  
25 government that. No, it's not. I'm doing my job. So I

1 would put this in that same category.

2 MR. DOWNEY: Understood.

3 I think our hour is up, Mr. Ambassador. We thank you  
4 for your time.

5 I don't know if you want to take a five-minute break.

6 AMBASSADOR PYATT: I've got 163 unread emails or  
7 something here. So I just keep going so I can get to the  
8 rest of my job later on.

9 MR. SCHRAM: All right. Brian, you're turning over the  
10 microphone? All right.

11 Ambassador Pyatt, you said in the last hour that you're  
12 a great believer in the historical record, and this  
13 interview and this committee's investigation will become  
14 part of the historical record. What should the historical  
15 record say about the Vice President's work in Ukraine?

16 AMBASSADOR PYATT: So I think the historic record  
17 should say that the American people should be very proud of  
18 the role that the United States played in helping to support  
19 the choices of the Ukrainian people and helping to reflect  
20 the very best of America's tradition of a bipartisan foreign  
21 policy, which is sought to support all of the post-Soviet  
22 states in defining their own future.

23 Now, that was--if you go back and look at my  
24 confirmation statement for that, for the Ukrainian job--so  
25 that would have been more than seven years ago now, well

1 more than seven years ago--I talked about that, and at that  
2 point, the issue was the desire of the Ukrainian people to  
3 move closer to Europe but be part of the European Union and  
4 part of the customs agreement that they were negotiating in  
5 those days.

6       So I think all of us as Americans should be very proud  
7 of the role that the United States played. We should be  
8 very proud of the role that a bipartisan coalition  
9 represented in that regard.

10       I think--you know, when I look back on my three years  
11 in Ukraine, I already described one emotional moment.  
12 Another one that sticks with me very, very warmly was the  
13 day of President Poroshenko's inauguration as president, and  
14 that delegation was headed by Vice President Biden. But it  
15 also included Senator McCain, Senator Murphy, and Senator  
16 Johnson.

17       And I had gotten to know Senator McCain a little bit at  
18 that point through his visits and through my consultations  
19 with him, and I had gotten to know Senator Murphy and  
20 Senator Johnson pretty well as well.

21       And we were walking down the busiest street in Kyiv.  
22 There were huge crowds. There was a street that the  
23 President was going to parade down after the inauguration,  
24 and we were walking down this street because it was closed  
25 off to traffic. And we were going back to our motorcade,

1 and people recognized Senator McCain. And they started--  
2 they all started cheering "America. USA, USA."

3 And I can't remember if it was Senator Murphy or  
4 Senator Johnson who said it, but there's a picture I can  
5 probably find of the four of us doing this. And at one  
6 point, one of them turned to the other and said, "You know,  
7 they're not cheering for us. They're cheering for John."

8 And for me, that moment crystallizes the way our policy  
9 was meant to work and the way it did work in practice.

10 I very proud--and again, Lydia will corroborate this.  
11 I worked very hard over seven years on my relations with  
12 Congress and particularly with the members of the Senate  
13 Foreign Relations Committee, not as Republicans or  
14 Democrats, but as patriotic Americans who want to see our  
15 nation's interests advanced. And Ukraine was a really good  
16 example of that at a moment when no other country could do  
17 so.

18 And what was really striking to me was after the  
19 invasion of Crimea, after Putin turned Ukraine into a hard-  
20 power problem, there was nobody else in the world, no other  
21 country that had the military power, the intelligence  
22 capacity, the ability to mobilize the world, the  
23 international community, to help the Ukrainians make their  
24 own choices. And I think history will record Vice President  
25 Biden very generously on this issue, precisely because he

1 played such a leading role in pulling our efforts together.

2 But I can also tell you the history will record Senator  
3 McCain very well in that regard, Senator Menendez, Chairman  
4 Corker, Senator Portman who was--Senator Portman was  
5 probably one of the very first Members of Congress to really  
6 grasp the anticorruption issues that I've spent the past  
7 hour and a half talking about, and I counted him as a huge  
8 ally and partner in the effort to tackle these things.

9 So you asked me how will history remember Joe Biden on  
10 these issues. I think it's really more a question of how  
11 history will remember the United States.

12 MR. SCHRAM: And how will history remember Russia's  
13 efforts to sow disinformation about the United States' role  
14 in Ukraine at this time?

15 AMBASSADOR PYATT: So are you asking me about my time  
16 or the past four years while I've been in Greece?

17 MR. SCHRAM: Your time.

18 AMBASSADOR PYATT: So I think, you know, Russia--the  
19 Russian invasion of Ukraine and then the Russian effort to  
20 manipulate the Ukrainian politics, to manipulate the  
21 Ukrainian media was really a preview of what we have come to  
22 see and what we've come to call "Russian malign influence."

23 I remember in December of 2016 when the intelligence  
24 community first published their report on Russian  
25 interference in the American elections. None of that came

1 as a surprise to me because I had seen exactly the same  
2 thing in Russia's attempt to influence Ukraine's  
3 presidential elections.

4       There was a boxed--a bolloxed, botched effort by Russia  
5 to hack the Central Election Commission, to fiddle with the  
6 election numbers. There was fake media. There was fake  
7 social medica, fake postings on social media sites. All of  
8 the tools which the intelligence community has now  
9 documented, Russia has applied against our democracy, it  
10 sought to apply against Ukraine's democracy first.

11       And certainly, as the victim of Russian hacking of  
12 American officials' telephone calls, long before it became  
13 the new normal, I'm particularly sensitive to this. I'm no  
14 longer surprised by it.

15       But I think history will look back on what happened in  
16 Ukraine during my tenure as the most acute manifestation of  
17 the problem our country faces of Russian malign influence,  
18 of Putin's intent to avenge what he views as the unjust  
19 dismantlement of the Soviet Union, his use of cyber-attacks  
20 on the Russian--excuse me--on the Ukrainian energy  
21 infrastructure when I was in Ukraine or shadow cyber-attacks  
22 that the GRU and Russia has conducted against American  
23 institutions, the use of fake information, the effort to sow  
24 dissension.

25       There were specific instances when I was in Ukraine of

1 Russian outlets planting fake news intended to undermine me,  
2 to undermine the principals--the principal voices of  
3 American foreign policy. It is a reminder that Vladimir  
4 Putin is playing for keeps, that this guy is a stone-cold  
5 killer, and that he is conducting a hybrid war against the  
6 West, which covers a full spectrum of activities. And at  
7 one end of that spectrum is sending Russian military forces  
8 into Crimea and Eastern Ukraine, and at the other end of the  
9 spectrum is the activity which the Treasury Department has  
10 documented continues to this day of trying to inject  
11 themselves into our democracy. And we clearly have not  
12 changed his risk reward calculus or his behavior thus far.

13 MR. SCHRAM: Is it one of the ways that Vladimir Putin  
14 injects himself into our democracy, by promoting the  
15 narrative that the Vice President's actions in Ukraine were  
16 in some way corrupt?

17 AMBASSADOR PYATT: So I think on this we're sort of  
18 veering towards classified, and I would ask my State  
19 Department colleagues to help out. I would simply refer  
20 everybody back to the Treasury Department statement of  
21 September 10, on Andrii Derkach, and the documentation that  
22 provides in an unclassified setting, the Russian covert  
23 influence campaign, and then the statement that Secretary  
24 Pompeo made this same day, amplifying the fact that this was  
25 a Russian-directed covert influence campaign centered on

1 manipulating the American political process to advance  
2 Russia's maligned interests.

3 MR. THOMAS: This is Ken Thomas. Thank you,  
4 Ambassador. I would just remind everyone that we do look to  
5 the Ambassador with his experience on classified information  
6 to be the first canary in the coal mine. So, Ambassador, I  
7 will--if you feel anything is touching upon classified then  
8 you should defer, and if there's any question about that  
9 they can come to me.

10 AMBASSADOR PYATT: Okay. Thanks, Ken.

11 MR. SCHRAM: Ambassador Pyatt, you refer to the  
12 statement of the Department of Treasury on September 10,  
13 "Treasury sanctions Russia-linked election interference  
14 actors." And with respect to Mr. Derkach, the statement  
15 says, "From at least late 2019 through mid 2020, Derkach  
16 waged a covert influence campaign centered on cultivating  
17 false and unsubstantiated narratives concerning U.S.  
18 officials in the upcoming 2020 presidential election,  
19 spurring corruption investigations in both Ukraine and the  
20 United States designed to culminate prior to election day.  
21 Derkach's unsubstantiated narratives were pushed in the  
22 Western media through coverage of press conferences and  
23 other news events, including interviews and statements."

24 That's what you're referring to?

25 AMBASSADOR PYATT: Yes.

1 MR. SCHRAM: Ambassador Pyatt, in Chairman Johnson's--

2 AMBASSADOR PYATT: Just to continue on that, I would  
3 also--I would emphasize the further nuance provided by  
4 Secretary of State Pompeo's statement on the same day.

5 MR. SCHRAM: Thank you. Ambassador Pyatt, in the  
6 Chairman's open letter of August 10th he wrote, "Many in the  
7 media, in an ongoing attempt to provide cover for former  
8 Vice President Biden, continue to repeat the mantra that  
9 there is no evidence of wrongdoing or illegal activity  
10 related to Hunter Biden's position on Burisma's board. I  
11 could not disagree more," end quote.

12 Are you aware of any evidence of wrongdoing or illegal  
13 activity by Vice President Biden related to Hunter Biden's  
14 position on Burisma's board?

15 AMBASSADOR PYATT: No.

16 MR. SCHRAM: Was the foreign policy that Vice President  
17 Biden pursued in Ukraine intended to advance the interests  
18 of the United States of America?

19 AMBASSADOR PYATT: Yes.

20 MR. SCHRAM: Did a potential conflict of interest  
21 related to Hunter Biden influence the Obama administration's  
22 policy decisions with respect to Ukraine and Burisma?

23 AMBASSADOR PYATT: Never, to my knowledge.

24 MR. SCHRAM: Did Vice President Biden alter U.S.  
25 Government foreign policy concerning Ukraine to assist

1 Biden--pardon me, to assist Burisma or to assist his son?

2           AMBASSADOR PYATT: Never, to my knowledge.

3           MR. SCHRAM: Did you witness any efforts by any U.S.  
4 official to shield Burisma from scrutiny?

5           AMBASSADOR PYATT: None at all.

6           MR. SCHRAM: Was the U.S. Government position  
7 advocating for the removal of Prosecutor General Shokin part  
8 of an effort to stop an investigation into Burisma?

9           AMBASSADOR PYATT: No. It had no relationship.

10          MR. SCHRAM: Did you have a view at the time about  
11 whether or not removing Prosecutor General Shokin would make  
12 more or less likely the success of corruption investigations  
13 against Burisma?

14          AMBASSADOR PYATT: We believed--let me answer that two  
15 ways. First of all, I think--I hope it's been evident from  
16 my past hour and a half of comments that the anticorruption  
17 agenda in Ukraine was much broader than just this one  
18 individual, Zlochevsky. It was a matter of systemic  
19 corruption. We certainly believed that dealing with that  
20 systemic corruption, including the deeply corrupt  
21 relationship between Ukrainian oligarchs, the political  
22 system, the media, the presidency, was not going to be  
23 broken under the approach that Prosecutor General Shokin was  
24 pursuing.

25          MR. SCHRAM: And that was the view of the U.S.

1 Government?

2           AMBASSADOR PYATT: That was the policy of the U.S.

3 Government.

4           MR. SCHRAM: So was the policy advocating for the  
5 dismissal of Prosecutor General Shokin formulated by Vice  
6 President Biden in an effort to assist his son?

7           AMBASSADOR PYATT: No. As I said, it was formulated by  
8 the interagency process in all of its glory.

9           MR. SCHRAM: Let's expand on that for a moment. In the  
10 previous hour you talked about that decision coming from the  
11 interagency process, and that's the spear and you're the tip  
12 of the spear, to implement it in country. Am I paraphrasing  
13 you accurately?

14           AMBASSADOR PYATT: Yes.

15           MR. SCHRAM: So that is with respect to the decision,  
16 the policy decision to condition aid to Ukraine on  
17 anticorruption reforms, including the removal of Prosecutor  
18 General Shokin. Do you know where the idea came from? I'm  
19 trying to separate the idea from the decision.

20           AMBASSADOR PYATT: No, I understand what you're getting  
21 at. I actually don't. You know, as I said, I've been in  
22 this business for 31 years. There are a lot of major policy  
23 initiatives that I'm very proud of. I can't, off the top of  
24 my head, think of a single one where I can say yeah, that  
25 was my idea--I was the Einstein, who thought of it, and then

1 I just brought along, you know, another 10,000 people across  
2 the U.S. Government.

3       So I actually don't remember--don't recall who the--you  
4 know, where the idea would have first surfaced. I can  
5 surmise, contextually, that probably the first place we  
6 would have heard an idea like that is from our civil society  
7 partners in Ukraine. You know, again, I gave speeches about  
8 this, that a big part of what we were trying to do when we  
9 were working on these issues was to give the Ukrainian  
10 people the kind of government they had earned, through  
11 10,000 deaths, through fighting and dying on the Maidan and  
12 Eastern Ukraine.

13       I remember as we rolled out this condition, and the  
14 broad condition of deep reform in the Prosecutor General's  
15 Office, I used to make the point to President Poroshenko and  
16 others that he didn't need to do this to satisfy me or to  
17 satisfy Vice President Biden or to satisfy the U.S.  
18 Government's loan guarantee conditions. He needed to do  
19 this to get himself reelected, to live up to the  
20 expectations and the trust that the Ukrainian people had  
21 placed in him when he was elected President of this country.

22       In many, you know, it's after my time, but the  
23 election, the massive defeat of President Poroshenko and the  
24 election of President Zelensky, an outsider, a young  
25 outsider, with no Soviet history to his biography, was a

1 perfect manifestation of the point that I was making in that  
2 space.

3         So this was--and a lot of the information that our  
4 Embassy was reporting on these issues, some of it, as I  
5 said, came from people like Jeff Cole and our Department of  
6 Justice advisors, who were working with David Sakvarelidze  
7 and Vitaly Kasko and other reforms in the Prosecutor's  
8 Office. But a lot of it also came from Ukrainian civil  
9 society groups like AntAC and the anticorruption groups that  
10 were supported by USAID but with sharp political officers in  
11 the Embassy staying in close touch with them.

12         So contextually--and again, maybe somebody will  
13 eventually write a history on this--you know, I think it's  
14 entirely possible that this idea first began to emerge from  
15 Ukrainian civil society groups, or the partners of Ukrainian  
16 civil society groups in the United States, including members  
17 of congressional staff. And, you know, you've got to be  
18 pretty brave to be an anticorruption reformer in a country  
19 like Ukraine, and most of them were pretty smart about their  
20 relations with key staff of the Foreign Affairs Committee  
21 and the Foreign Relations Committee and elsewhere in  
22 Congress as well.

23         MR. SCHRAM: As you described the interagency process,  
24 you used the word "instruction." You took this decision as  
25 an instruction on policy with which--of which it was your

1 responsibility to implement.

2           AMBASSADOR PYATT: Right.

3           MR. SCHRAM: So to be clear, who does the "instruction"  
4 come from?

5           AMBASSADOR PYATT: Oftentimes it will come in a  
6 telegram, and I don't know, in this case. I mean,  
7 typically, the way these things would work is there would be  
8 an interagency discussion. The White House, the National  
9 Security Council would provide a summary of conclusions.  
10 The summary of conclusions would have numbered conclusions,  
11 and one of those conclusions would be the Embassy needs to  
12 press for deeper reform of the Prosecutor General's Office.  
13 And it would say "action," and the action would be USAID or  
14 Department of Justice or U.S. Department of State. And then  
15 that action gets translated either as a front channel  
16 telegram, the kind of thing I get every single day--I got  
17 one yesterday and it has Mike Pompeo's name at the bottom of  
18 it. I'm confident Secretary Pompeo never saw it. But  
19 that's the institutional instruction in the State  
20 Department--or an email from the Assistant Secretary or the  
21 Bureau, if I'm talking to the front office, in this case.

22           MR. SCHRAM: So this was not an instruction that came  
23 from the Vice President outside of any regular channel.

24           AMBASSADOR PYATT: I never saw Vice President Biden  
25 operate in any way outside of the normal policy process.

1 MR. SCHRAM: And with respect to this policy, did you  
2 agree with it?

3 AMBASSADOR PYATT: Absolutely. That's why I gave  
4 speeches about it.

5 MR. SCHRAM: So it's fair to say, to summarize, that it  
6 was a whole-of-government policy to condition foreign aid in  
7 part on the removal of Prosecutor General Shokin.

8 AMBASSADOR PYATT: Yes. And I want to spend a lot of  
9 time explaining this, because I think it's important to  
10 understand that this was an evolution. So if you go back,  
11 for instance, to my Odessa speech in the fall of 2015, where  
12 I talk about these issues, I used the phrase "reform to the  
13 Office of the Prosecutor General." I didn't use the phrase,  
14 "Get rid of Shokin," because we were still hopeful, at that  
15 point, that systemic reform could be accomplished without  
16 the abrupt step of changing the Prosecutor General, with all  
17 the challenges that that would present to Poroshenko, and  
18 finding somebody who would be an appropriate successor, et  
19 cetera, and working that conformation process within the  
20 delicately balanced state of the parliamentary government in  
21 Ukraine.

22 So the--

23 MR. SCHRAM: So let's--

24 AMBASSADOR PYATT: --later in the year towards the  
25 conclusion that Shokin had to go.

1 MR. SCHRAM: Let's focus, then, on the events around  
2 the Odessa speech that you've just raised. That speech, as  
3 I understand it, was on September 25th at the Odessa  
4 Financial Forum, and as you said you criticized the  
5 Prosecutor's Office. At that time, who was the Prosecutor  
6 General?

7 AMBASSADOR PYATT: I don't remember. You'll have to  
8 check. It's probably Shokin but you'll have to check.

9 MR. SCHRAM: Prior to Shokin, who was the Prosecutor  
10 General?

11 AMBASSADOR PYATT: I'm too old to remember that.

12 MR. SCHRAM: Okay.

13 AMBASSADOR PYATT: I'm sorry to be glib. I honestly  
14 don't remember. I mean, you know, Greece is a country of 11  
15 million people so I've learned a lot of new names over the  
16 past four years. The only way you can do that is by doing a  
17 memory dump on the old ones.

18 MR. SCHRAM: Fair enough. Do you remember what led you  
19 to have concerns about Zlochevsky and corruption?

20 AMBASSADOR PYATT: Yeah. So let me explain sort of how  
21 that all came about. So as I described in the earlier round  
22 of questioning, this was part of a gradual evolution of the  
23 U.S. Government concern about a set of issues that had been  
24 one of the three pillars of our policy going back to the  
25 first days of the new government.

1 I was invited to Odessa Financial Forum to give a  
2 speech, and when I was invited I sat down with my guys and I  
3 said, "You know, I think it's time for me to say something  
4 really direct about corruption." The reason I chose to do  
5 that in Odessa was three-fold. One, Odessa, in those days,  
6 had an aggressively reformist governor, Misha Saakashvili,  
7 who came from Georgia and who had a reputation for shaking  
8 things up. Two, Odessa had been historically one of the  
9 most corrupt regions of Ukraine, and its, you know, typical  
10 port, Casablanca, mafias, casinos, all of the usual  
11 ingredients of shady business, shipping. So Odessa was a  
12 location that I knew would resonate symbolically.

13 And three was the sense that it had come time to take  
14 these issues out of our private diplomacy and raise them up  
15 more publicly. And I knew that if I gave this speech in  
16 Odessa it would do that.

17 So I asked my team to put together the remarks. It  
18 was, like every other speech I gave, a team effort,  
19 including the political section, the public affairs section,  
20 the INL section. I was really lucky to have a really strong  
21 INL office, which was generously funded by the Assistant  
22 Secretary in those days. And the RLA as well.

23 I remember when I got one of the drafts of it I said,  
24 "You know, it needs a specific example or two," and so I  
25 asked my guys to come up with recommendations of specific

1 examples. The two that I think we were throwing around, one  
2 was a case about the diamond prosecutors, and I won't bore  
3 you with the details but the diamond prosecutors got known  
4 as the "diamond prosecutors." They were corrupt prosecutors  
5 also. The Ukrainian Intelligence Agency raided their  
6 office, and when they cracked open their office safe they  
7 found bags of loose diamonds, so that's how the diamond  
8 prosecutors got their name.

9       And then you had the case of Zlochevsky, which was a  
10 particularly egregious case for my Department of Justice  
11 colleagues, because they worked very hard on it, along with  
12 the British government, on a very complex asset forfeiture,  
13 asset seizure case, which was intended to recoup, for the  
14 Ukrainian people, the money that was stolen from them. We  
15 knew that when Yanukovich fled the country he took literally  
16 hundreds of millions of dollars of Ukrainian state assets  
17 with him. It was diamonds, bearer bonds. I remember there  
18 was one residence belong to one of his Cabinet members that  
19 the police raided in downtown Kyiv after these guys all  
20 left, and they all had like gym bags. On the security  
21 cameras at the airport you saw footage of the gym bags that  
22 they had, and there was footage from the security cameras at  
23 Yanukovich's residence of dolly carts rolling out to the  
24 helicopters with what looked like stacked gold bars. So  
25 these guys took a lot with them.

1           This one particular Cabinet member, at his residence,  
2 he left on the kitchen/dining room table bags--bundles of  
3 hundred dollar bills, bags of loose diamonds, a collection  
4 of Rolexes. And I remember saying to my guys, "If that's  
5 what they left behind, when they were running out, imagine  
6 what they had in their carry-on bag?"

7           So this was wholesale looting of the country, and this  
8 case against the former Environment Minister Zlochevsky was  
9 the first attempt at trying to recoup some of those assets.  
10 We had a whole FBI task force. The FBI had sent agents out  
11 to Ukraine, who were looking over documents from  
12 Yanukovych's residence, who were trying to help the  
13 Ukrainians build the evidentiary chain to trace back, do the  
14 forensic accounting on some of this stuff.

15           But this was a really important case and it fell apart  
16 when the Prosecutor's Office, over a Christmas holiday  
17 period, sent a letter to the court in UK saying, "Never  
18 mind. We're not interested anymore." So this was a  
19 particularly egregious one for my Department of Justice  
20 colleagues. So that's how that ended up being in the  
21 speech.

22           MR. SCHRAM: After that happened, after the Prosecutor  
23 said, "Never mind. We're not interested anymore," was it  
24 the U.S. Government's hope that Prosecutor General Shokin  
25 would cooperate with UK officials on the Zlochevsky matter?

1           AMBASSADOR PYATT:  And many other cases where he  
2 was--where he and his institution--and again, it was an  
3 institutional problem, where he and his institution were  
4 systematically failing to go after individuals who were  
5 credibly accused of corrupt behavior.

6           MR. SCHRAM:  Did Shokin reopen the case against  
7 Zlochevsky?

8           AMBASSADOR PYATT:  I don't remember.  I can tell you,  
9 Shokin was widely viewed as--as I said, by his professional  
10 peers--I'm not a lawyer, but Shokin was widely viewed by his  
11 professional peers from the United States as ineffective in  
12 his role.  And, you know, again, I had any number of  
13 meetings with him, which would be documented in Embassy Kyiv  
14 classified recording cables, where I walked through with him  
15 the specific changes that we sought.

16           One of those, for instance, was the creation of an  
17 independent inspector general inside the Prosecutor  
18 General's Office.  You know, and I'm an optimist.  I  
19 wouldn't be an American diplomat if I wasn't an optimist.  
20 And so every time we'd get one of these small changes we  
21 would always hope, okay, maybe this is really the start of a  
22 new phase.  But inevitably we were always disappointed.

23           MR. SCHRAM:  Why were you disappointed?

24           AMBASSADOR PYATT:  Because of the failure to deal with  
25 the problem of corruption at the senior-most levels of the

1 Ukrainian Government. You know, I think it's important--  
2 it's important to recognize, as I said in my earlier  
3 remarks, this was a legacy problem. It was a legacy of the  
4 Soviet Union. The Soviet system was built on a lie, and it  
5 inculcated a political culture in which corruption was the  
6 grease that made the political system work, and that ranged  
7 from petty corruption--you know, everyday Ukrainian citizens  
8 who had to pay money under the table to get medical  
9 treatment or who had to pay money under the table so that  
10 their teacher would show up to work at their children's  
11 school--and the big corruption that people like Zlochevsky  
12 were involved in that involved stealing hundreds of millions  
13 of dollars from Ukraine and from the Ukrainian people.

14 MR. SCHRAM: Was it your hope that your speech would  
15 get their attention and advance the case of reform in the  
16 prosecutor general's office?

17 AMBASSADOR PYATT: Absolutely. I mean, you know, as  
18 Ambassador, everything I do I try to do strategically. I  
19 always ask--will ask my team, you know, "What's the headline  
20 that I want to come out of this speech? What am I trying to  
21 do here?" And in that case, what I was trying to do was to  
22 induce change in the behavior of the prosecutor general's  
23 office.

24 MR. SCHRAM: And why did you--you talked about why you  
25 mentioned Zlochevsky individually. Was there a reason you

1 didn't mention the company Burisma?

2           AMBASSADOR PYATT: I'm not even sure if I knew at that  
3 point what Zlochevsky's relationship to Burisma was. I'm  
4 sure I had people in my embassy who knew that, but I don't  
5 actually recall when that was brought to my attention. It  
6 was certainly brought to my attention by later that fall as  
7 the issues around Burisma began to surface. But I was  
8 focused on--I think when you read the speech, you'll see  
9 what I was focused on was not contemporary Ukrainian affairs  
10 but the corrupt activities that Zlochevsky had been involved  
11 with as Environment Minister.

12          MR. SCHRAM: But it's fair to say in September you  
13 still had hope for Shokin?

14          AMBASSADOR PYATT: Absolutely. In retrospect, clearly  
15 misplaced hope, and, you know, this was a conversation that  
16 I would have with President Poroshenko and the others in the  
17 government saying to me but also saying to other senior  
18 officials, just give the guy another chance, you know, he's  
19 really going to change the system.

20          MR. SCHRAM: And how did you lose faith with respect to  
21 Shokin's ability to change?

22          AMBASSADOR PYATT: It's less me losing faith than the  
23 U.S. Government, and, again, the two or the three critical  
24 inputs in that U.S. Government judgment were what we were  
25 hearing from Ukrainian civil society, what we were hearing

1 from the U.S. Department of Justice experts--and, again, I'm  
2 not a lawyer, so I'm not competent to judge whether the  
3 delay in bringing a case is a matter of incompetence,  
4 ineffectiveness, or if it's just the way things have to work  
5 because you have to get the documents together. So the  
6 judgment of my legal advisers and the Department of Justice  
7 experts was critically important. And then, finally, what  
8 we were seeing from the intelligence community.

9 Chairman Graham. When you or members of your staff get  
10 information in-country from civil society, how is that  
11 information communicated to Washington? And how does it  
12 become part of the policy process?

13 AMBASSADOR PYATT: You know, if it's my embassy, it  
14 eventually gets written into a State Department cable, which  
15 goes to the wide audience in Washington, D.C. There's a lot  
16 more that gets done by email these days in our system, which  
17 is natural and understandable. But as I said, I actually  
18 appreciate the discipline of a cable because it forces  
19 people to think through cause and effect a little more  
20 carefully than is the case in an email that you're pounding  
21 out on an iPhone while you're driving to work or something.

22 MR. SCHRAM: Do you think that if we had access to  
23 contemporaneous cables it would show these concerns being  
24 reflected?

25 AMBASSADOR PYATT: I am absolutely certain it would

1 demonstrate those concerns.

2 MR. SCHRAM: Turning to the Vice President's trip to  
3 Ukraine in December 2015, at the time of Vice President  
4 Biden's visit, had Prosecutor General Shokin made any real  
5 progress toward investigating corruption or reforming the  
6 prosecutor general's office?

7 AMBASSADOR PYATT: So as I said, there were little baby  
8 steps from time to time. I think I mentioned the  
9 establishment of the independent inspector general within  
10 the prosecutor general's office. That was something that we  
11 had pushed for. In one of those meetings with Shokin, I  
12 know that I handed over a tick list that was drafted for me  
13 by the combination of the political section, the economic  
14 section, the INL team, and the Department of Justice team  
15 with specific suggestions for reform. I think that also may  
16 be in one of the documents that you guys sent this  
17 afternoon. I'd have to relook at it again. I only got it 5  
18 minutes before we started here, so I only glanced at it  
19 once. But I think the draft conditions precedent have some  
20 of that language as well.

21 MR. SCHRAM: Turning again to Exhibit 1, what the  
22 majority entered as Exhibit 1, and to the page that begins  
23 with "Goals and Objectives." Do you have that in front of  
24 you?

25 AMBASSADOR PYATT: Yeah, and I apologize, I actually

1 got--the numbers on mine are totally different, and I put  
2 that back in my stack of papers here, so it's going to take  
3 me a minute.

4 MR. SCHRAM: No problem. I won't refer to the numbers.  
5 At the top it says "Sensitive but unclassified, November 22,  
6 2015."

7 [Pause.]

8 AMBASSADOR PYATT: I know it's here because I haven't  
9 left my chair, so I couldn't have put it too far--

10 MR. SCHRAM: Ambassador Pyatt, I'm just going to ask  
11 you about one sentence in that memo. We can put it up for  
12 you if that works.

13 AMBASSADOR PYATT: Yeah, sure.

14 MR. SCHRAM: Just a moment.

15 AMBASSADOR PYATT: Here it is. I found it.

16 MR. SCHRAM: Okay, great.

17 AMBASSADOR PYATT: Which page?

18 MR. SCHRAM: The Bates number ends in 8-5, and at the  
19 top it says "Vice President Biden's meeting with Ukrainian  
20 President Petro Poroshenko."

21 AMBASSADOR PYATT: Yes, I've got it in front of me.

22 MR. SCHRAM: Okay. That's great. So the second  
23 section is labeled "Background," and about a third of the  
24 way down, the first paragraph, drawing your attention to the  
25 sentence that starts, "There is wide agreement."

1           AMBASSADOR PYATT:  Sorry?  I lost you there.  "There is  
2 wide agreement that anticorruption must be at the top of  
3 this list."  Yes, got it.

4           MR. SCHRAM:  That's right.  And "that reforms must  
5 include an overhaul of the prosecutor general's office,  
6 including the removal of Prosecutor General Shokin"--

7           AMBASSADOR PYATT:  Right.

8           MR. SCHRAM:  --"who is widely regarded as an obstacle  
9 to fighting corruption."

10          AMBASSADOR PYATT:  Right.

11          MR. SCHRAM:  Do you know what the "wide agreement"  
12 refers to?

13          AMBASSADOR PYATT:  What I've spent the past 2 hours  
14 talking about, the interagency community's agreement.  The  
15 "There is wide agreement" is a reflection of what I've  
16 described, which is the view of the interagency community on  
17 this.

18          MR. SCHRAM:  And what about our international partners?  
19 Do you know if they had a view on this at the time?

20          AMBASSADOR PYATT:  Certainly, as I mentioned in the  
21 beginning, I worked particularly closely with my EU  
22 ambassadorial counterpart, Jan Tombinski; with the French  
23 Ambassador, with the German Ambassador, or the British  
24 Ambassador.  Jan in particular, he was an extremely skilled  
25 diplomat, a good colleague, and the most important thing to

1 know about him is that he was Polish. So Poland, like  
2 Ukraine, had lived through this process of de-Sovietization,  
3 and they had a very severe process of institutional reform,  
4 which is what positioned them to become what they are today,  
5 a NATO ally, an economically prosperous member of the  
6 European Union. So Jan was particularly focused, much more  
7 so than I could be as a privileged American, on the task for  
8 reforming Ukrainian society that had to be accomplished. If  
9 anything, I think his views on the removal of Shokin were  
10 even stronger than mine, and I know he communicated those to  
11 the President, to the prosecutor general, and the Ukrainian  
12 Government. And I think we actually did so together on a  
13 couple of occasions with joint presentations.

14 MR. SCHRAM: You've spoken movingly about the  
15 importance of congressional support for our policy and  
16 bipartisan congressional support. How was the policy--  
17 specifically with respect to anticorruption reform, how were  
18 those policies communicated to Congress?

19 AMBASSADOR PYATT: So I can talk about what I did in  
20 Ukraine. I can assure you that every congressional  
21 delegation that came to Ukraine, staff and members--and  
22 there were a lot of them, including, I should add, our  
23 current Acting Assistant Secretary for Legislative Affairs.  
24 But every one of those delegations we would have discussed  
25 the anticorruption agenda with, because as you've heard me

1 describe, it was one of the three pillars on which the  
2 policy approach that I was presenting rested.

3 I can't help you in terms of how these things were  
4 communicated in Washington. I can tell you I made it a  
5 habit when I was Ambassador to go up on the Hill, and I  
6 still do. Every time I'm in Washington, I offer myself up  
7 to the Foreign Relations Committee. I think Lydia will  
8 attest that Senator Johnson and I--I probably had more  
9 meetings with Senator Johnson than just about any other  
10 member of the Foreign Relations Committee on the Republican  
11 side. And I'm very grateful for the support he's provided  
12 and the interest that he's shown in my work as Ambassador.  
13 And we certainly would have talked about these issues.

14 MR. SCHRAM: And when you say "these issues," what are  
15 you referring to?

16 AMBASSADOR PYATT: The agenda of corruption, of  
17 anticorruption. And as I said, you know, the broad agenda  
18 as described in this briefing memo and many other places of  
19 helping the Ukrainian people to build the kind of society  
20 that they deserve.

21 MR. SCHRAM: How specific would you get with respect to  
22 our policy, our anticorruption policy?

23 AMBASSADOR PYATT: Yeah, I think I have to fall back on  
24 the same I'm getting all the best 5 years ago answer. I  
25 honestly--I just don't remember, and, you know, oftentimes,

1 again, as Lydia will attest, you know, when I have the  
2 privilege of sitting down with a busy member like Senator  
3 Portman or Senator Johnson, you know, it's oftentimes 10  
4 minutes before a vote, there's somebody else in the waiting  
5 room, so I tend to be--when I am on the Washington side, I  
6 tend to be pretty tactical and 35,000-foot in my  
7 presentation. That's one of the great advantages of having  
8 congressional delegations travel overseas because there is  
9 no better way to help Congress understand what we're trying  
10 to do out here with the taxpayers' money and the important  
11 role the Congress plays in advancing America's interests  
12 abroad.

13 MR. SCHRAM: Was it your understanding that Congress  
14 supported our anticorruption agenda in Ukraine?

15 AMBASSADOR PYATT: A hundred percent. That was  
16 reflected--and as I said, there is nobody who was more  
17 passionate on these issues than Senator McCain. Senator  
18 McCain and I actually traveled to Odessa together for the  
19 same reason that I gave that speech in Odessa. I count it  
20 as, you know, one of the real treasured memories of my time  
21 in Ukraine, the work that I was able to do with John McCain  
22 and the way he represented the United States of America.

23 I was very grateful for the letter that was signed by a  
24 number of congressional leaders to President Poroshenko  
25 reinforcing all the messaging that I had been conveying on

1 anticorruption issues. I don't remember who wrote that  
2 letter. I'm going to guess its Tyler Brace, who is now a  
3 colleague in the State Department's European Affairs Bureau  
4 who works for Senator Portman, and as I said, Tyler was a  
5 really--and Senator Portman was a particularly important  
6 partner and supporter on all of these issues. But all the  
7 members who signed that letter--Senator Durbin, Senator  
8 Shaheen, Senator Portman, Senator Johnson, Senator Kirk,  
9 Senator Murphy, Senator Blumenthal, Senator Brown--these are  
10 all members who have taken the time to come to Ukraine to  
11 understand what we were trying to do there and obviously put  
12 their names on a letter to the President, making clear that  
13 what Poroshenko was hearing in those days from me, from Vice  
14 President Biden, from Secretary Kerry, from Assistant  
15 Secretary Nuland was not just an executive branch policy.  
16 It was the policy of the whole U.S. Government, including  
17 the legislative branch and, in particular, the Senate.

18 MR. SCHRAM: And at that time, that policy included  
19 conditioning aid on the removal of Prosecutor General  
20 Shokin?

21 AMBASSADOR PYATT: Yeah. We just talked about the  
22 timeline, and it was public knowledge, again, if I'm  
23 remembering that newspaper article that you guys--January  
24 21st, yeah. So all of these issues with the visit to  
25 Washington of Vitaly Kasko and Sakvarelidze and the coverage

1 in the Ukrainian press, which I'm sure there would have been  
2 a great deal of after this story, was all public knowledge  
3 before this letter came out.

4 MR. SCHRAM: Marking as Exhibit A, I believe this is  
5 the letter that you've been referring to, February 12th,  
6 from the signatories you mentioned to President Poroshenko.

7 [Pyatt Exhibit A was marked  
8 for identification.]

9 MR. SCHRAM: We'll just put it up so you can confirm  
10 this is the letter that you've been referring to.

11 AMBASSADOR PYATT: Exactly.

12 MR. SCHRAM: And I would draw your attention to the  
13 fourth paragraph and the sentence that starts, "We similarly  
14 urge you to press ahead..." Do you see that line?

15 AMBASSADOR PYATT: Yes.

16 MR. SCHRAM: "We similarly urge you to press ahead with  
17 urgent reforms to the Prosecutor General's office and  
18 judiciary."

19 AMBASSADOR PYATT: Correct.

20 MR. SCHRAM: So you raised this letter on your own, and  
21 if I am understanding you correctly, you were aware of it at  
22 the time. You were talking about your contemporaneous  
23 understanding of support from Congress.

24 AMBASSADOR PYATT: Absolutely. I was delighted at the  
25 letter, and I don't remember specifically what I did with

1 it, but I'm quite confident that I would have gotten a  
2 letter like this, and I would have emailed the .pdf to the  
3 President's Chief of Staff and said something like, "You  
4 will find this of interest. It reinforces everything we've  
5 been talking about for the past few weeks."

6 MR. SCHRAM: So this letter helped you make the case  
7 with President Poroshenko that Prosecutor General Shokin  
8 needed to be removed?

9 AMBASSADOR PYATT: Yes. As part of a broad process of  
10 urgent reforms to the prosecutor general's office and  
11 judiciary.

12 MR. SCHRAM: I'll stop there.

13 MR. DOWNEY: Hi, Ambassador Pyatt. Would you like to  
14 take a 5-minute break?

15 AMBASSADOR PYATT: No. Let's keep going. I'm at 189  
16 now, so I've got a long night ahead of me, so let's finish  
17 up here, and then I'll go back to doing what I'm paid to do.

18 MR. DOWNEY: Understood.

19 MS. JEFFRESS: Could I ask, Brian--and I know you do  
20 have more questions, but given Ambassador Pyatt's  
21 responsibilities, could we limit the interview to maybe  
22 another half-hour for each side and then call it a night so  
23 he can get back to work?

24 MR. DOWNEY: Yeah, I think that generally is okay.  
25 While I'm going, I'll let some of my colleagues discuss

1 that, but I think that should be okay.

2 MS. JEFFRESS: That would be terrific. Thanks so much.

3 AMBASSADOR PYATT: All right. Thank you.

4 MR. DOWNEY: No problem. Ambassador Pyatt, when did  
5 you become aware that Hunter Biden was on Burisma's board of  
6 directors?

7 AMBASSADOR PYATT: I don't recall. I think it probably  
8 would have been--it was certainly not something that was  
9 prominent on my radar scope. It likely would have been  
10 around the time that the U.S. press began reporting on this  
11 issue, which was the late part of 2015 before Vice President  
12 Biden's big visit. And, again, it just reflects the fact,  
13 which I've tried to explain over the past 2 hours, that  
14 Burisma-Hunter Biden had zero impact on my work. I never  
15 met with them. Their positions and interests had no impact  
16 on work that I did as America's Ambassador. So it just  
17 wasn't something that was on my radar scope. But I  
18 certainly became aware of it when the New York Times and  
19 others started to write about it.

20 MR. DOWNEY: So in the winter of 2015 you became aware?

21 AMBASSADOR PYATT: Yes. Late 2015.

22 MR. DOWNEY: During your time as Ambassador in Ukraine,  
23 did any members of your team raise concerns about Hunter  
24 Biden being on Burisma's board?

25 AMBASSADOR PYATT: I don't recall. You know, one of

1 the things about being Ambassador is you don't do a lot of  
2 water cooler talk. You know, the Navy calls it "the  
3 loneliness of command," and it's very much like running an  
4 aircraft carrier or something. You know, everybody tells  
5 you everything is going great until it runs into an iceberg.

6 So, no, I didn't--so I did not, and I think anybody  
7 who's worked with me in the State Department will tell you  
8 that I have the reputation as anything but a gossip or a  
9 rumormonger. So I don't recall any conversations on this  
10 issue. They could have happened, but it would have been out  
11 of character for me.

12 MR. DOWNEY: During your time as Ambassador, after you  
13 became aware that Hunter Biden on Burisma's board in the  
14 winter of 2015, did any Ukrainian officials raise the topic  
15 with you, why the Vice President's son was on this corrupt  
16 company's board?

17 AMBASSADOR PYATT: Again, I don't recall a single  
18 instance, and I think given the genesis of our  
19 anticorruption policy and the broad focus of our calls for  
20 reform of the Ukrainian system, to include fiduciary and the  
21 Prosecutor General's Office and the police, it doesn't  
22 surprise me that that wouldn't come up, because it was just--  
23 -it was not a thing in Ukraine. You know, I don't remember.  
24 Even, you know, this New York Times story, which you guys  
25 dug up and sent out to me, that was just--the day-to-day

1 concerns of Ukrainians, especially in those days, was not  
2 what Hunter Biden was doing. It was whether Vladimir Putin  
3 was going to send more troops in, whether their economy was  
4 going to survive, whether the political coalition around  
5 Prime Minister Yatsenyuk was going to stay intact, and  
6 whether they would have the better future that they so  
7 desperately hoped for.

8 MR. DOWNEY: So you've explained all the measures and  
9 anticorruption programs that our government was trying to  
10 instill in Ukraine. Did you find it awkward that the Vice  
11 President's son would serve on the board of a corrupt  
12 Ukrainian gas company?

13 AMBASSADOR PYATT: You know, you're sort of asking me a  
14 personal opinion on these things. As Ambassador you really  
15 don't get to have personal opinions. So for the past seven  
16 years, everything I say, everything I do, where I go out to  
17 dinner, you know, everything is scrutinized and everything I  
18 do reflects the United States of America.

19 I'm in Athens. You know, the ancient Greeks used to  
20 say the most important title is citizen, and eventually I  
21 will go back to being a citizen again. But for now my title  
22 is Ambassador, so I don't get to have personal opinions.

23 MR. DOWNEY: So during--

24 AMBASSADOR PYATT: And to further answer your question,  
25 there was no time at which Hunter Biden's employment by

1 Burisma in any way compromised my ability to do my job  
2 effectively.

3 MR. DOWNEY: During the Vice President's trip to  
4 Ukraine in 2015, you mentioned that these articles in The  
5 New York Times and other publications were coming out  
6 regarding Hunter Biden being on Burisma's board. During  
7 that trip, did you discuss with the Vice President the fact  
8 that his son served on a corrupt Ukrainian gas company's  
9 board?

10 AMBASSADOR PYATT: It wouldn't have crossed my mind,  
11 for the reason I earlier stated, that it had no impact on my  
12 work or my life in Ukraine.

13 MR. DOWNEY: So you never gave thought of raising a  
14 concern to the Vice President about this board position his  
15 son had?

16 AMBASSADOR PYATT: No. He's the Vice President of the  
17 United States and it would have been wildly out of place for  
18 me to raise something like that, especially insofar as it  
19 had zero impact on the work that I was doing.

20 MR. DOWNEY: Did you ever--did you or any member of  
21 your team in Kyiv believe that Hunter Biden's position on  
22 Burisma's board was a conflict of interest?

23 AMBASSADOR PYATT: Again, you know, you'll have to ask  
24 other members of the Embassy in terms of what their  
25 perspectives were. It had no impact on the work that I did.

1 Conflict of interest sounds like a lawyer's term, so I'm not  
2 competent to make that judgment. You know, as a public  
3 official I do my OGE forms every day, every year, and I have  
4 a clear sense of what my obligations are in terms of  
5 conflict of interest, but I simply can't speak to a private  
6 citizen like Hunter Biden.

7 MR. DOWNEY: So you never raised any concerns about  
8 Hunter Biden's board membership on Burisma to Vice President  
9 Biden?

10 AMBASSADOR PYATT: I had no reason to raise any  
11 concerns about Hunter Biden to Vice President Biden, because  
12 it had no impact on my work. As far as I can discern, it  
13 had no impact on the vigorous approach Vice President Biden  
14 took to implementing and supporting our anticorruption  
15 policy, and it just wasn't part of the world that I was  
16 responsible for out in Ukraine.

17 MR. DOWNEY: During your time as Ambassador in Ukraine  
18 was there Russians or Russian-aligned oligarchs that were  
19 pushing the fact that Hunter was on Burisma's board as, you  
20 know, the opposite of what the U.S. policy was regarding  
21 anticorruption?

22 AMBASSADOR PYATT: There was one incidence that was  
23 consistent with that, and I was reminded of it in the  
24 documents that you guys sent me, that Russia's levers of  
25 maligned influence in Ukraine are so extensive and

1 widespread they hardly needed Hunter Biden in order to  
2 undermine the country. You know, the Russians had deeply  
3 penetrated--after the collapse of the Soviet Union they  
4 deeply penetrated Ukrainian intelligence, the Ukrainian  
5 military. The whole energy sector was controlled by Russian  
6 interests, because what we're talking about in this instance  
7 was Russian gas from Russia flowing through Ukraine to  
8 wealthy Russian customers by Germany. That's why the whole  
9 U.S. Government, to include the Senate, has been so emphatic  
10 in working to block the Nord Stream 2 pipeline, and it's  
11 exactly the right policy, is you've got to strangle this  
12 stuff off.

13       So Russia has so many levers of malignant influence in  
14 Ukraine. There was, as I said there was one instance of a  
15 media outlet, which we judged to be heavily influenced, if  
16 not a direct tool of the Russian intelligence services,  
17 which lifted this issue up as part of an apparent effort to  
18 embarrass Vice President Biden. But it didn't get much  
19 traction, and as I said, this was not an issue that was  
20 widely talked about or widely reported at the time when I  
21 was in Ukraine. My guess is there's probably more attention  
22 in Ukraine today to all of this stuff than there was at the  
23 time when I was there, but you'd have to ask our current  
24 team.

25       MR. DOWNEY: So you mentioned your September 2015

1 speech in Odessa where you specifically raised Zlochevsky.

2 Is Zlochevsky an oligarch that's aligned with Russians?

3       AMBASSADOR PYATT: Again, I think you're sort of--  
4 you're straining both my recollection and also my expertise  
5 on oligarchs in Ukraine. Most Ukrainian oligarchs,  
6 including the really big ones, you know, people like Rinat  
7 Akhmetov, people like the head of PrivatBank, whose name is  
8 escaping me for a minute--

9       MR. DOWNEY: Kolomoyskyi?

10       AMBASSADOR PYATT: Yeah--who, of course, has recently  
11 been indicted by the United States Department of Justice  
12 because of corrupt activities in the United States. You  
13 know, all of these guys are shady, to one degree or another.  
14 Zlochevsky, you know, was a minnow compared to a guy like  
15 Kolomoyskyi or Akhmetov. So, you know, you asked me is he  
16 corrupt. I don't know. You know, certainly the judgment of  
17 my Department of Justice experts--and his tenure as an  
18 Environment Minister, was before my arrival. So certainly  
19 the judgment of my Department of Justice experts who pursued  
20 the asset forfeiture case with the UK against him was that  
21 he was deeply corrupt, in terms of his work as Environment  
22 Minister.

23       MR. DOWNEY: Understood. I think this will be Exhibit  
24 3, and it will be Tab 4, Will, and it's a December 6, 2015,  
25 email that you wrote, Mr. Ambassador. So this is right

1 before Vice President Biden's trip to Ukraine in December of  
2 2015.

3 [Pyatt Exhibit No. 3 was  
4 marked for identification.]

5 AMBASSADOR PYATT: Yep. Yeah, this is the Russian  
6 origin story that we just talked about.

7 MR. DOWNEY: Understood. So on December 6, 2015, you  
8 wrote an emailing saying, "I assume all of you have the DOJ  
9 background on Zlochevsky, the short unclassified version in  
10 non-lawyer language, is that the U.S. and UK were  
11 cooperating on a case to seize his corrupt assets overseas  
12 which had passed through the United States. The case fell  
13 apart when individuals in the PGO acted to thwart the U.S.  
14 case."

15 AMBASSADOR PYATT: Right. That's what I described  
16 earlier.

17 MR. DOWNEY: So what was the DOJ background on  
18 Zlochevsky? Do they have a report drafted on him? What was  
19 that about?

20 AMBASSADOR PYATT: I think you'll have to ask the  
21 Department of Justice. You know, again, I'm neither a  
22 lawyer nor a Department of Justice official. I relied on  
23 the advice that was provided by my DOJ team. But I'm sure  
24 they will be happy to answer that question.

25 MR. DOWNEY: So there might be more information in the

1 classified version of this document?

2           AMBASSADOR PYATT: I'm certain that the Department of  
3 Justice has more information about Zlochevsky because they  
4 were pursuing an international legal assistance case on the  
5 United Kingdom.

6           MR. DOWNEY: Do you know what section of DOJ was trying  
7 to perfect that case?

8           AMBASSADOR PYATT: I have no idea. I would probably  
9 start with Bruce Swartz, who is the most competent official  
10 I've found in the Department of Justice on almost anything  
11 that involves this part of the world, Assistant Attorney  
12 General who is a superb civil servant. He knows his ground  
13 as well as anybody in the U.S. Government.

14          MR. DOWNEY: So you sent this email to State officials  
15 and senior officials and Vice President Biden's office,  
16 including Kate Bedingfield, Michael Carpenter, and Colin  
17 Kahl.

18          AMBASSADOR PYATT: Right.

19          MR. DOWNEY: Why did you assume members of Vice  
20 President Biden's office had the DOJ background on  
21 Zlochevsky?

22          AMBASSADOR PYATT: Because that's the way the  
23 interagency process works. Mike Carpenter, who is the  
24 person further down on this string, was the Vice President's  
25 expert on all of these Ukraine issues, and he was somebody

1 who was involved in all of our meetings and all of our  
2 discussions, and so was Colin Kahl. So I knew that Mike  
3 would have access to the additional classified information.

4 MR. DOWNEY: So at that time Hunter Biden had joined  
5 Burisma's board in May of 2014, and this email from December  
6 of 2015. So Vice President Biden's staff, at that time,  
7 knew that DOJ had a case against the owner of Burisma.

8 AMBASSADOR PYATT: I think you'll have to ask them  
9 that.

10 MR. DOWNEY: Um--

11 AMBASSADOR PYATT: And again, as I said, I am--as I  
12 told you earlier, I can't remember, at the time I gave the  
13 Odessa speech I can't even remember if I was aware that  
14 Zlochevsky--the speech was about Loches's role as  
15 Environment Minister. It was not about Burisma. And I  
16 don't recall at what time I became aware of the linkage  
17 there.

18 MR. DOWNEY: Understood. Can we go back and talk  
19 about--

20 AMBASSADOR PYATT: Again this whole--this email chain,  
21 if you read further down, the whole article, which we  
22 believed at the time was from a Russian-influenced source,  
23 was about Hunter Biden and it was about Burisma and  
24 allegations of corruption. So again, that's--you know,  
25 there you have it, in terms of what the Russians were trying

1 to put out and what they were trying to propagate.

2 But I want to emphasize what I said earlier, that this  
3 was not a prominent issue in Ukraine at the time.

4 MR. DOWNEY: So I want to kind of explore the gentleman  
5 who served as Prosecutor General before Shokin. That was  
6 Yarema.

7 AMBASSADOR PYATT: Yes.

8 MR. DOWNEY: And you had mentioned that the case that  
9 the U.S. and the UK were trying to perfect against  
10 Zlochevsky had fallen apart in December of 2014.

11 AMBASSADOR PYATT: Right.

12 MR. DOWNEY: Are you aware of allegations that  
13 Zlochevsky bribed members of Yarema's team?

14 AMBASSADOR PYATT: Now that you mention it I remember  
15 that that was part of the charge sheet that was made against  
16 Zlochevsky, but again, you know, it was a while ago. You've  
17 obviously looked at the history more closely than I have.

18 MR. DOWNEY: Your DCM, George Kent, was--who was spoke  
19 to, sir, spoke at length about the alleged bribe and the  
20 dollar amount of \$7 million to Yarema's team, and the case  
21 falling apart as well. So do you know anything more about  
22 whether those allegations were given to U.S. authorities?  
23 What do you know about the alleged bribe?

24 AMBASSADOR PYATT: I know much less than George,  
25 because at that time he was the European Bureau's senior

1 advisor on anticorruption issues, so he followed this stuff  
2 intimately. He also followed it from Washington. And one  
3 of the other things that you learn as Ambassador is the  
4 United States is blessed with a hugely competent  
5 intelligence community that gathers a vast array of  
6 information. As Ambassador, even as Ambassador, you don't  
7 see all of that information because some of it is highly  
8 compartmented and is handled just in Washington channels.  
9 So there would have been things that George would have seen,  
10 working on these issues from Washington, that I would only  
11 see if I was visiting Washington and INR asked me to come  
12 into a SCIF and sign a piece of paper and get briefed into  
13 some compartment. So that's just how the U.S. Government  
14 process works.

15 MR. DOWNEY: So Mr. Kent, Jeff Cole, that you've  
16 mentioned during our time with you, from what we understand  
17 they seem to be pretty up-to-date and knowledgeable about  
18 this alleged bribe that Zlochevsky gave to Yarema's  
19 prosecutors or his team. I think you said that Jeff Cole  
20 was a good resident legal advisor.

21 AMBASSADOR PYATT: I was lucky to have him on the team.

22 MR. DOWNEY: Do you know if Mr. Kent and Mr. Cole  
23 continued to pursue those allegations, to make sure that  
24 U.S. officials, when they could, investigate that or be part  
25 of the team to investigate whether that bribe occurred?

1           AMBASSADOR PYATT: Yeah, I mean, you're getting to a  
2 level of detail--

3           MR. SCHRAM: I didn't bring up Blue Star.

4           AMBASSADOR PYATT: --that was below my level of  
5 attention as Ambassador. The other thing you find out as  
6 Ambassador is, you know, the U.S. government is a big  
7 enterprise and you've got to trust your people. I was  
8 really fortunate when I was in Ukraine that I had a really  
9 strong team. But if I sort of got down into the weeds on  
10 everything they dealt with I wouldn't have been able to deal  
11 with the other two pillars of our efforts that I've spent  
12 some time talking about tonight.

13          MR. DOWNEY: And just for the record, Zack, I think  
14 your mic was on again.

15          AMBASSADOR PYATT: I'm happy to talk about Blue Star  
16 when we get there, as long as we can do it in the next 40  
17 minutes or so.

18          MR. DOWNEY: Well, let's do it since Zack didn't think  
19 we were going to get to it. Did you meet with Blue Star in  
20 December of 2015?

21          AMBASSADOR PYATT: Yes, I did.

22          MR. DOWNEY: And who--did you request a meeting with  
23 them or did Blue Star?

24          AMBASSADOR PYATT: No, they did. You know, they came  
25 to me as an American business group, wanting to introduce

1 themselves and explain what they were doing in Ukraine.

2 I've maintained an open-door policy with American business  
3 people there and here. It's served me well and it's helped  
4 me to advance America's commercial interests.

5 MR. DOWNEY: So we understand this meeting was at the  
6 U.S. Embassy in Ukraine on December 16, 2015.

7 AMBASSADOR PYATT: Yes. That sounds about right.

8 MR. DOWNEY: Can you tell us what Blue Star officials  
9 wanted to discuss with you?

10 AMBASSADOR PYATT: I actually don't know. I can't  
11 remember. But what I'll share with you is that about a year  
12 ago, when the impeachment process was getting going, I was  
13 approached by a prominent U.S. reporter who was working on  
14 this story, and he came to me for comment, because he was  
15 seeking to report on the Blue Star issue. He told me, the  
16 journalist, in the question told me that he had spoken to  
17 Blue Star and that they had come to see me, and that they  
18 had made their pitch on Burisma and how the company's role  
19 had been misunderstood, and that they found me totally  
20 inflexible and unresponsive to their pitch, which sounds  
21 like me.

22 So beyond that, though, I don't remember the specifics  
23 of the meeting. I don't remember the specific points that  
24 they were making to me. I expect I would have been joined--  
25 I'm certain I would have been joined by some other Embassy

1 officials, but I just don't recall the specifics of the  
2 conversation. It would have been, you know, one of, you  
3 know, many, many meetings that I would have had that week in  
4 the fire hose issues that I was dealing with as Ambassador  
5 at that time.

6 MR. DOWNEY: What did Blue Star believe you were  
7 inflexible on?

8 AMBASSADOR PYATT: The nature of the allegations  
9 against Zlochevsky. I think you will know the timing and  
10 the tick-tock better than I will because you've got it in  
11 front of you, but I think this was after my Odessa speech.  
12 So they probably felt aggrieved by the way I characterized  
13 Mr. Zlochevsky. I don't know if they were working for him  
14 at the time, but it wouldn't surprise me that they would  
15 have raised concerns because I was very blunt, as you know.

16 MR. DOWNEY: At this December 16, 2015, meeting between  
17 you and Blue Star officials, did Blue Star officials discuss  
18 Burisma?

19 AMBASSADOR PYATT: Again, I don't remember. The  
20 reporter that I alluded to tells me, or told me, in an  
21 email, that he had been told that they had raised Burisma  
22 with me.

23 MR. DOWNEY: Did Blue Star officials with the U.S. at  
24 this December 16th, 2015, meeting raise Hunter Biden's name?

25 AMBASSADOR PYATT: I would be very surprised. My

1 reputation precedes me in that regard.

2 MR. DOWNEY: Did you have any other further meetings  
3 with Blue Star officials when you served as Ambassador to  
4 Ukraine up until the summer of 2016?

5 AMBASSADOR PYATT: Not that I can recall. They came to  
6 see me once here in Greece working on behalf of another  
7 client, Caesars International, in conjunction with a  
8 billion-dollar integrated resort tender that the Greek  
9 government is proceeding with.

10 At the time, we had three American bidders or  
11 interested parties. One was Caesars. One was a company  
12 called Mohegan. The other was Hard Rock. And I was very,  
13 very careful in that instance as well to meet with any of  
14 the American companies interested so that I couldn't be  
15 accused of favoring one over the other.

16 MR. DOWNEY: During this December 16th, 2015, meeting  
17 with Blue Star officials, when you speak, sir, are you  
18 speaking for the U.S. government policy--

19 AMBASSADOR PYATT: Everything I've said--

20 MR. DOWNEY: --and the views of the U.S. government?

21 AMBASSADOR PYATT: --is the police of the U.S.  
22 government. That's the dilemma of being Ambassador, for  
23 better or worse. You don't get a day off.

24 MR. DOWNEY: So your speech in Odessa is the same?  
25 It's what the U.S. policy and views are?

1           AMBASSADOR PYATT: Of course, just like the speech that  
2 I gave yesterday with a delegation from EXIM and the  
3 Development Finance Corporation. Everything I say publicly  
4 is the policy of the United States government.

5           MR. DOWNEY: And that seemed to be clear to Blue Star  
6 since they saw you as inflexible. No? Is that a yes?

7           AMBASSADOR PYATT: Yeah. So I'm--I didn't hear a  
8 question. Sorry.

9           MR. DOWNEY: So when you spoke with them in December of  
10 2015, you said that it seemed they thought you were  
11 inflexible regarding Burisma and Zlochevsky-

12          AMBASSADOR PYATT: Yes.

13          MR. DOWNEY: --and your comments about them.

14          AMBASSADOR PYATT: Yes. Although again, I want to  
15 emphasize I do not recall the conversation. So the only--  
16 the only recollection I'm offering is that which was  
17 conveyed to me by a reporter from a major American media  
18 outlet, which then went into the State Department public  
19 affairs machine and I don't think we ever responded to.

20          MR. DOWNEY: Are you aware of Blue Star officials,  
21 after they met you in December of 2015, meeting with other  
22 bureaus and State Department officials here in Washington?

23          AMBASSADOR PYATT: I know from the documents that you  
24 sent that they also met with Under Secretary Novelli, our  
25 Under Secretary for Economic Affairs in the State

1 Department. As I recall, that meeting was focused on the  
2 pitch for more resources, additional U.S. government funding  
3 for Ukraine.

4 MR. DOWNEY: So during that time period after you met  
5 with them in December of 2015, were you surprised at how  
6 aggressive Blue Star officials were with meetings with  
7 Ukrainians, meetings with other State Department officials?

8 AMBASSADOR PYATT: I met with Paul Manafort when he was  
9 working for President Yanukovych. So I'm not surprised by  
10 lobbying people working hard for their clients.

11 MR. DOWNEY: Understood.

12 Just one second, sir.

13 [Pause.]

14 MR. DOWNEY: So I'm going back to the December 2015  
15 meeting you had with Blue Star officials. Would you have  
16 represented to Blue Star that your representation was the  
17 views of the United States government?

18 AMBASSADOR PYATT: Absolutely.

19 MR. DOWNEY: Understood.

20 I'm looking around because I'm trying to figure out how  
21 much time we may or may not have. I guess--I've been told  
22 we have one minute.

23 With this final minute, I'll ask you this, sir. After  
24 Shokin was removed by the Rada, he was voted out, as you  
25 know. That's their process. There was an interim and then

1 Lutsenko becomes the prosecutor general.

2           AMBASSADOR PYATT: Right.

3           MR. DOWNEY: And I know you left Kyiv to go to Athens.  
4 Your nomination occurs in the summer of 2016. What was your  
5 hope, and what was your view of Lutsenko when he took over  
6 the prosecutor general's office in 2016?

7           AMBASSADOR PYATT: Yeah. I was actually among those  
8 who thought that Lutsenko would be able to deal better with  
9 the problem for the prosecutor general's office. He is  
10 somebody who himself had been a victim of selective  
11 prosecution. Members of Congress, Senator Durbin, I think  
12 Senator McCain, and others worked very hard to achieve his  
13 release from jail in a politically--what the State  
14 Department considered to be a politically motivated  
15 prosecution.

16           And I remember when I was taking the reins in Kyiv, my  
17 predecessor, John Tefft, describing to me how emotional it  
18 was when he went to meet--went to meet Yuriy Lutsenko when  
19 he was released from prison during--before my arrival.

20           And then during the Revolution of Dignity, during the  
21 demonstrations of the Maidan, Lutsenko had played a  
22 prominent role among those calling for Yanukovich's removal  
23 and among those calling for reform. He then was an active  
24 player in Ukrainian politics.

25           So I had gotten to know him as a political figure and

1 as somebody who professed to be strongly committed to  
2 building the kind of modern European state that we talked  
3 about. So I was among those who was hopeful when he was  
4 named.

5 I mentioned earlier I think that--and you exactly  
6 described the politically sensitive process of parliamentary  
7 approval that the new prosecutor general had to receive, and  
8 I remember some back-and-forth with Washington at the time  
9 about how Lutsenko's history and his past would work both in  
10 favor and against his parliamentary approval.

11 But I certainly was among those who was hopeful that he  
12 would turn a new page in terms of how the prosecutor  
13 general's office operated. I think that view was shared by  
14 a lot of my colleagues in the interagency community, and as  
15 you noted, I departed in August. So I wasn't around for  
16 what happened afterwards.

17 MR. DOWNEY: So before you departed in August, sir, was  
18 Burisma's owner, Zlochevsky, ever held accountable for  
19 Athens?

20 AMBASSADOR PYATT: I don't--you know, he--Zlochevsky  
21 certainly was not that I recall.

22 I think I've made available to you--and if not, the  
23 State Department, I'm sure would be happy to. I'm quite  
24 proud of my last interview in Kyiv. It was given to the  
25 Kyiv Post around July, but I was asked--

1 MR. DOWNEY: We've read it, yeah.

2 AMBASSADOR PYATT: I think it's a very good  
3 distillation of what I tried to do over my three years, and  
4 let me add. I know you guys have had to listen to a lot of  
5 my ambassadorial war stories, but if I can just give you one  
6 more philosophical point.

7 You know, I've had an extraordinary privilege over  
8 seven years now to represent the people and government of  
9 the United States of America. The most humbling experience  
10 that I've had in both countries is when random citizens--and  
11 it's happened in both Ukraine and here in Greece. People  
12 I've never seen before come up to me on the street and say,  
13 "Ambassador, you don't know me, but I just want to say thank  
14 you for what America is doing to help my country."

15 But you have to--you know, you always have to remember,  
16 and this is my--sometimes my political appointed colleagues  
17 aren't as good about remembering this because I come out of  
18 a system where I worked 25 years before I held up my hand  
19 and swore the oath of office.

20 But you always have to remember it's the office, it's  
21 not you, and it's temporary. And so when you're in that  
22 role, I always say it's like paddling those--remember the  
23 cartoons with the canoe above a waterfall? And you're sort  
24 of handed the paddle, and you just row as hard as you can.  
25 And you pull as hard as you can, and you hope that you move

1 the canoe forward a little bit. And then at some point, you  
2 tag out, and somebody else comes in and picks up the paddle  
3 and keeps rowing.

4 And I think on these issues of anticorruption in  
5 particular, I'm hugely proud. First of all, I'm proud that  
6 the canoe didn't go over the waterfall. I'm proud of the  
7 fact that we clearly moved the issues forward. The  
8 situation was better when I left Ukraine than it was when I  
9 arrived, both in terms of the forwarding of Vladimir Putin's  
10 agenda, but also the beginnings of the process of reform.

11 And you'll see in that interview, I talked a lot about  
12 how with that three-year time perspective, I was optimistic  
13 that Ukraine had reached a point of no turning back. The  
14 process of reform had proceeded far enough that there would  
15 never be another Yanukovich, just institutionally corrupted,  
16 depended on Russia dictator.

17 I still think that's the case, and as I said, I  
18 wouldn't have been able to say that without very strong  
19 support from Senator Johnson and, as I said, Senator McCain,  
20 Senator Menendez, Senator Durbin, Senator Portman. I'm  
21 going to leave out a few people, and I'll feel bad about it  
22 when I read the transcript.

23 But all of that was done in the spirit of a bipartisan  
24 U.S. policy, and it pains me greatly to see how this  
25 bipartisan issue, which is so important to the interest of

1 the United States and Europe, has become such an issue of  
2 political discord.

3 MR. DOWNEY: Well, we thank you for your continued  
4 service, Mr. Ambassador.

5 It's 1:37, and the Majority's time has ended, and we'll  
6 turn it over to the Minority.

7 Thank you, sir.

8 AMBASSADOR PYATT: Thanks.

9 MR. SCHRAM: Ambassador Pyatt, in your frequent travels  
10 with the members of the congressional Ukrainian caucus, did  
11 any of them ever bring up Hunter Biden's position on the  
12 board of Burisma?

13 AMBASSADOR PYATT: Not that I recall. I had a phone  
14 call with--during my time as Ambassador, there was no  
15 instance that I can recall. I had a phone call with Senator  
16 Graham about a year ago. It was relatively brief. It was  
17 when I was in Washington, and he asked me exactly that  
18 issue. And I was very gratified. I gave him the answer,  
19 which you would expect me to give, basically the three-  
20 minute version of what we've spent the past two and a half  
21 hours on, and Senator Graham's answer to me was along the  
22 lines of "Thank you very much, Ambassador. You know how  
23 much we all respect your work." It's important for me to  
24 hear that from you.

25 MR. SCHRAM: So Chairman Johnson never mentioned it to

1 you in 2014, '15, or '16?

2       AMBASSADOR PYATT: Not that I can recall, but again,  
3 Senator Johnson will know better.

4       MR. SCHRAM: With respect to your meeting with Blue  
5 Star, we've discussed with the Majority, and apologies for  
6 the hot mic incident. Thank you, Brian, for your grace in  
7 handling it. Was Hunter Biden's name used by Blue Star or  
8 any representative from Burisma in order to secure a meeting  
9 with you?

10       AMBASSADOR PYATT: No.

11       MR. SCHRAM: Did you provide special treatment to Blue  
12 Star Strategies?

13       AMBASSADOR PYATT: Absolutely not.

14       MR. SCHRAM: At the time of you--

15       AMBASSADOR PYATT: I don't even think I gave them a cup  
16 of coffee.

17       MR. SCHRAM: I could use a cup of coffee.

18       At the time of your meeting in December 2015, what was  
19 the State Department's perception of Burisma, briefly?

20       AMBASSADOR PYATT: Again, I just--I can't answer that  
21 question well because it just was not on my radar scope.  
22 It was not something that I was talking about with  
23 Washington policy officials.

24       We dealt with it in the context of the press guidance,  
25 which had to be developed around Vice President Biden's

1 visit to Kyiv.

2 Energy companies generally in Ukraine for the reasons I  
3 described earlier, there are a lot of--there are a lot of  
4 "watch out fors" around anybody who is in the energy  
5 business in Ukraine because the penetration--the relations  
6 with Russia are so deep because the history of corruption is  
7 so longstanding. And again, Zlochevsky is an example of  
8 that.

9 But I've also worked with very well-known American  
10 energy companies like ExxonMobil and Chevron, and I trusted  
11 that they had corporate compliance policies. And if you  
12 talk to an executive from ExxonMobil and Chevron, they would  
13 tell you exactly the same thing about the energy business in  
14 the post-Soviet world.

15 And remember I was involved with these issues in  
16 Ukraine as Ambassador but also as PDAS in SCA where I was  
17 responsible for the countries of Central Asia. So that  
18 includes oil export in Turkmenistan and Kazakhstan. So this  
19 was pretty familiar ground to me, and you just learned to  
20 tread very carefully and follow all of the rules that the  
21 U.S. government system has put in place so that our behavior  
22 as senior government officials is transparent and above  
23 reproach.

24 MR. SCHRAM: And that was the case in this instance,  
25 too?

1           AMBASSADOR PYATT:  Yes.

2           MR. SCHRAM:  Your behavior and the behavior of other  
3 senior department officials was beyond reproach?

4           AMBASSADOR PYATT:  Yes.

5           MR. SCHRAM:  Did your perception of Burisma change as a  
6 result of one meeting with Blue Star?

7           AMBASSADOR PYATT:  No.

8           MR. SCHRAM:  Did the State Department's views on  
9 Burisma change after meetings with Blue Star?

10          AMBASSADOR PYATT:  No

11          MR. SCHRAM:  Based on what you know and observed, did  
12 U.S. policy change in any manner to favor Burisma as a  
13 result of Blue Star's representation?

14          AMBASSADOR PYATT:  No.

15          MR. SCHRAM:  Did Hunter Biden's role at Burisma become  
16 a means to influence matters at the State Department in any  
17 way?

18          AMBASSADOR PYATT:  In no way at all.

19          MR. SCHRAM:  Do you believe that your interaction with  
20 Blue Star executives influenced matters at the State  
21 Department to change Ukraine policy?

22          AMBASSADOR PYATT:  Not in the slightest way.

23          MR. SCHRAM:  Do you believe Blue Star's interaction  
24 with any State Department officials influenced matters at  
25 the State Department to change Ukraine policy?



1 MR. SCHRAM: So there were other conditions beyond  
2 reform of the prosecutor general's office, correct?

3 AMBASSADOR PYATT: Yeah. I talked about that in our  
4 first hour, but yeah, it was designed to deal with issues  
5 like privatization and energy sector reform as well.

6 MR. SCHRAM: Were those conditions met before providing  
7 the third loan guarantee?

8 AMBASSADOR PYATT: I assume all of the conditions were  
9 met before providing the third loan guarantee. I'll have  
10 to--I haven't looked at this stuff for a number of years  
11 now, but I seem to recall that all of them would have been  
12 met.

13 I would also note an editorial comment and a process  
14 comment. One, for me, the most interesting thing about this  
15 document is the email distro, which I think illustrates the  
16 point I made quite a bit earlier about the vast U.S.  
17 government machine that developed these conditions and the  
18 number of different dot-gov email addresses that are there,  
19 I think, gives you a good sense of how broad the interagency  
20 team that reached these conclusions and these conditions  
21 was.

22 And then the other process point I would emphasize is I  
23 know from talking to my USAID colleagues that these loan  
24 guarantees' conditions are formerly briefed to Congress. So  
25 there would have been a congressional notification process,

1 and there are questions which Congress and especially  
2 appropriations staff asks as part of that process. I assume  
3 there would be a record about that, that would refine that.

4 And then when it comes to the time of disbursement,  
5 there would have to be some kind of a certification action  
6 memo that would check off all the boxes.

7 So we're talking about a lot of U.S. taxpayer money.  
8 So it's not something that anybody gets to decide in their  
9 back pocket.

10 MR. SCHRAM: Prosecutor General Shokin was dismissed by  
11 the Rada in March of 2016. Do you recall when the loan  
12 guarantee was provided?

13 AMBASSADOR PYATT: No. But I'm sure--I know that there  
14 is an Embassy Kyiv press release that has a picture of me  
15 and the then prime minister. It was a new prime minister at  
16 that point, Prime Minister Groysman and the mission director,  
17 and I vividly remember the room we were in and trying to fit  
18 the whole cabinet into a single photograph in the room. So  
19 I'm sure that's an easy fact to determine. Just google  
20 "Embassy Kyiv Pyatt loan guarantee." It should pop right  
21 up.

22 MR. SCHRAM: We'll try that. Our understanding is it  
23 was in September 2016. Is that consistent with what you've  
24 just described?

25 AMBASSADOR PYATT: No, because that would have been

1 after my departure, but maybe I'm remembering the second  
2 loan guarantee in that case. But, anyway, the--yeah.

3 MR. SCHRAM: But it was well after the dismissal of  
4 Prosecutor General Shokin and depended in part on the other  
5 conditions that you've outlined, correct?

6 AMBASSADOR PYATT: That's correct.

7 MR. SCHRAM: The Majority referred to Exhibit 2, the  
8 email exchange dated December 5th and 6th, 2016. You were  
9 one of the recipients of the email on December 5th regarding  
10 the article, the Ukrainian--quote, Ukrainian scam of the  
11 Biden family"

12 AMBASSADOR PYATT: Right. That's the Russian malign  
13 influence example that I talked about.

14 MR. SCHRAM: Right. Was there any merit to the  
15 allegations in the article that the Biden family would begin  
16 a, quote, large-scale privatization of Ukraine?

17 AMBASSADOR PYATT: Of course not. This was  
18 manufactured fake information that Russia put out in order  
19 to undermine U.S. policy.

20 MR. SCHRAM: Or a, quote, seizure of state enterprises?

21 AMBASSADOR PYATT: Again, completely manufactured and  
22 very typical of the lines of misinformation that Russia  
23 propagated in Ukraine.

24 Again, remember you have a whole generation of Soviet  
25 Ukrainians, and so this issue of state enterprises and

1 selling off of state enterprises was a very potent--a very  
2 potent button to press, especially for older Ukrainians who  
3 were nostalgic for what they viewed as the more predictable  
4 and safer life that they had in Soviet times.

5 MR. SCHRAM: And the argument that Hunter Biden's  
6 position on the board of Burisma corrupted U.S.  
7 anticorruption efforts in Ukraine, do you include that as  
8 part of the Russian disinformation narrative?

9 AMBASSADOR PYATT: Yes, of course. And it's of a  
10 pattern with lots of other Russian disinformation.

11 Even here in Greece, the embassy has active programs to  
12 help expose Russian disinformation and fake media exactly  
13 like this, which talks about the ecumenical patriarch, the  
14 Russian church, the Greek Orthodox church. This is a  
15 toolkit which Russia is using across Europe to undermine  
16 security and advance their perceived interests.

17 MR. SCHRAM: Briefly, what are effective ways to  
18 confront Russian disinformation?

19 AMBASSADOR PYATT: So I have talked about my work with  
20 Senator Portman earlier. I am very grateful for the work  
21 that Senator Portman, in particular, has led along with  
22 Senator Murphy to authorize and fund the Global Engagement  
23 Center. Lea Gabrielle at the State Department is a good  
24 colleague and a big part of her work, and I'm very proud of  
25 the fact that here in Greece, we've been able to partner

1 with Lea Gabrielle and the GEC in order to develop public  
2 programs to educate citizens and media to be more discerning  
3 consumers of Russian misinformation.

4 I wish we had had a tool like that at the time that  
5 this stuff was happening in Ukraine because we could have  
6 used it, and again, this is--I talked at the very beginning  
7 about the challenge of Russia's hybrid warfare tactics and  
8 how we as a government are learning how to be more robust in  
9 the way that we push back on that. And this is, I think, an  
10 important element of it.

11 MR. SCHRAM: You testified that Russia hardly needed  
12 Hunter Biden to work towards undermining Ukraine?

13 AMBASSADOR PYATT: Yeah. A better choice of words was  
14 Russia did not need, but yes, I said "hardly needed."  
15 Correct.

16 MR. SCHRAM: So in your view, Russia didn't need Hunter  
17 Biden in their work to undermine Ukraine, but they're  
18 clearly using Hunter Biden now in an effort to undermine our  
19 election currently. Knowing what you know about Russian  
20 malign influence and the credibility of actors like Andrii  
21 Derkach, Andrii Telizhenko, and others, how should we  
22 evaluate narratives promoted by Ukrainian proxies of Russia  
23 with respect to the corruption of the Vice President's  
24 policy, promotion of U.S. policy in Ukraine as a result of  
25 Hunter Biden being on the board of Burisma?

1           AMBASSADOR PYATT: So I'm going to be very careful on  
2 this one, again, because of the classified content of some  
3 of it. And, of course, I ceased to be responsible for  
4 Ukrainian policy in August of 2016, and I've made it a  
5 pretty strict policy that we've got one Ambassador at a  
6 time. Or right now we don't have an Ambassador, but I hope  
7 that will change soon. General Wald (phonetic) is a  
8 fantastic nominee.

9           I think the Treasury statement and the State Department  
10 statement of September 12th don't leave much doubt in terms  
11 of the ways in which Russia is using Mr. Derkach. He tried  
12 to influence malignly our democracy, our election process.  
13 I know that Secretary Pompeo has been very clear in his  
14 public statements about the fact that Russia needs to stop,  
15 and I think beyond that, in terms of the specific mechanisms  
16 that Russia has used, some of which I have been briefed on  
17 at a high level of classification, I think that goes beyond  
18 what we can do in this unclassified setting.

19          MR. SCHRAM: Understood. Again, the Treasury's  
20 statement refers to false and unsubstantiated narratives  
21 concerning U.S. officials in the upcoming 2020 Presidential  
22 election. Is the narrative that Vice President Biden's  
23 actions in the Ukraine were corrupt, is that a false  
24 narrative?

25          AMBASSADOR PYATT: Yes, it is. And I think you only

1 need to look at what Secretary Pompeo said about Derkach,  
2 what Treasury said about Derkach, and their contemporaneous  
3 release of privileged telephone conversations between the  
4 Vice President and President Poroshenko by Derkach to  
5 understand what's referred to there.

6 MR. SCHRAM: Ambassador Pyatt, we are very appreciative  
7 of your time. I want to note for the record that you  
8 offered to conduct this via written interrogatories, and  
9 I'll mark as Exhibit C a letter to Chairman Johnson from  
10 Acting Assistant Secretary for Leg. Affairs Ryan Kaldahl,  
11 which notes that you'd like to answer our questions without  
12 compromising your ability to perform critical duties during  
13 this fragile time in the Eastern Mediterranean.

14 [Pyatt Exhibit C was marked  
15 for identification.]

16 MR. SCHRAM: The Chairmen elected not to accept  
17 handling this via interrogatory, which has led to your  
18 testimony today. I won't take any more of your time. We're  
19 very grateful for your service, and I wish you luck in your  
20 current duties.

21 AMBASSADOR PYATT: Thank you. I need it.

22 MR. DOWNEY: All right. Ambassador Pyatt, Chairman  
23 Johnson and Chairman Grassley also thank you for your  
24 service. And as we mention to all witnesses at the end, as  
25 soon as we have a transcript available, we will provide it

1 to your counsel for you and them to review. I think that  
2 this conversation that we had today was fruitful, and it's  
3 good to see you. And if no one else has any comments, we  
4 can go off the record.

5 MR. FOLIO: Brian, this is Joe. Just one last comment,  
6 Ambassador Pyatt, with regard to the letter that Mr. Schram  
7 referred to. The letter offered two options: written  
8 responses or this interview. And I think Chairman Johnson  
9 chose this interview because, frankly, it's a more efficient  
10 way, more dynamic environment to answer our questions. We  
11 recognize that it's time away from your work. We appreciate  
12 you being very generous with your time, and having gone this  
13 route, I don't see much, if any, need for follow-up.

14 Again, we appreciate it. Thank you very much for your  
15 service, and nothing else from us.

16 AMBASSADOR PYATT: Great. Thank you. And I would just  
17 ask, in addition to my counsel, I would ask that the State  
18 Department be given the opportunity to review the transcript  
19 as well, both to make sure that I didn't glance too close to  
20 any of the issues of classification, but also because  
21 uniquely I'm the one person who's speaking as a sitting  
22 Ambassador to Ukraine and as somebody--a Presidential  
23 appointee now of two Presidents. So I want to make very  
24 sure that everything that I'm saying is fully convergent  
25 with U.S. policy. I presented this speaking as a sitting

1 Ambassador, and in that sense I'm offering not personal  
2 views but the views of the U.S. Department of State, so they  
3 should be given the opportunity to review and correct  
4 anything that I've gotten wrong.

5 MR. FOLIO: We'll make sure that happens.

6 MR. DOWNEY: All right. It's 1:57, and we're off the  
7 record.

8 AMBASSADOR PYATT: Thanks, everybody.

9 [Whereupon, at 1:58 p.m., the interview was concluded.]

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**From:** [REDACTED]  
**Sent:** Mon, 23 Nov 2015 14:20:28 -0500  
**To:** [REDACTED]  
**Cc:** EUR Ukraine Clearances  
**Subject:** \*REMINDER: OOB Monday, 11/23 Clearance - VPOTUS Yats & VPOTUS Poroshenko BCLs  
**Attachments:** MP01 - VPOTUS-P2\_for clearance.docx, MP02 - VPOTUS-Yats\_for clearance.docx

[REDACTED]

Please clear on these. The latest versions are attached.

Best,

[REDACTED]

SBU

This email is UNCLASSIFIED.

---

**From:** [REDACTED]  
**Sent:** Monday, November 23, 2015 10:37 AM  
**To:** D EUR Duty Officer2; [REDACTED]; D-MR Clearance; EUR-Press; EUR-RUS-POL-DL  
**Cc:** EUR Ukraine Clearances  
**Subject:** REMINDER: OOB Monday, 11/23 Clearance - VPOTUS Yats & VPOTUS Poroshenko BCLs

(+EUR RUS Pol since [REDACTED] is covering for [REDACTED].)

Colleagues,

Attached are the updated P2 and Yats VPOTUS BCLs that include the edits I have received thus far. **Please clear ASAP.** This needs to go up shortly.

Best,

[REDACTED]

SBU

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---

**From:** [REDACTED]  
**Sent:** Sunday, November 22, 2015 5:19 PM

**To:** D EUR Duty Officer2; [REDACTED] D-MR Clearance; EUR-  
Press; EUR-RPM-OSCE-DL; [REDACTED]  
**Cc:** EUR Ukraine Clearances  
**Subject:** OOB Monday, 11/23 Clearance - VPOTUS Yats & VPOTUS Poroshenko BCLs  
**Importance:** High

Colleagues,

Please clear on the attached BCLs for the VPOTUS Kiev trip **by OOB tomorrow**. A/S Nuland needs to see these tomorrow before she leaves on travel.

Both papers are extremely similar. Thanks for your help and please let me know if you have questions.

Best,

[REDACTED]

[REDACTED]

Ukraine Desk

Tel: (202) 647-4117

UNCLASS: [REDACTED]

SIPR: [REDACTED]

SBU

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November 22, 2015

**Vice President Biden's Meeting with  
Ukrainian President Petro Poroshenko  
December 7-8 (TBC)**

**GOALS AND OBJECTIVES**

(SBU) Your visit to Kyiv comes as infighting among the parties in Ukraine's governing coalition is growing and stalling progress on the government's agenda, popular disaffection with the government is mounting over difficult economic reforms and conditions, and public doubts are worsening over political leaders' (particularly President Poroshenko and PM Yatsenyuk) commitment to breaking with old-style politics and rooting out corruption. Your meeting with Poroshenko will be an opportunity to press for reenergizing the reform agenda, particularly critical progress on anti-corruption, offer new U.S. support, and encourage Ukraine to continue its efforts at Minsk implementation, particularly on securing an agreement on local elections in the Donbas. Your last call with Poroshenko was November 5 and your last meeting was in New York on September 28.

**BACKGROUND**

1. **(SBU) Unity and Reforms:** With local elections in the rear-view mirror and an economy that while still in difficulty, seems to have moved back from the precipice, the time is ripe for President Poroshenko to reanimate his reform agenda. You should recommend that he give a state of the nation speech to the Rada in which he reenergizes that effort and rolls out new proposed reforms. There is wide agreement that anti-corruption must be at the top of this list, and that reforms must include an overhaul of the Prosecutor General's Office including removal of Prosecutor General Shokin, who is widely regarded as an obstacle to fighting corruption, if not a source of the problem. Reform priorities should also include the judiciary and standing up the new national investigative bureau (akin to the FBI). You will want to press Poroshenko to eschew radical plans and agree with Yatsenyuk on a 2016 budget and tax plan that are consistent with the IMF-recommended program. Poroshenko has prioritized privatization, and you should encourage the government to set up a mega-holding company for 10-20 state-owned enterprises, which will help cut off traditional sources of corruption.

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- 2. (SBU) U.S. Assistance:** Poroshenko and Yatsenyuk will be looking for tangible signs of U.S. support to assist the Ukrainian people during these difficult times, facilitate further reforms, and help with efforts to defend against Russian aggression. You will sign our third billion-dollar loan guarantee and publicly announce FY 15 U.S. assistance for the first time: \$189,035,756 -- which does not include security assistance (previously announced separately). Our support will go to top non-security priorities including: assistance to fight corruption, strengthening the rule of law, supporting civil society, restoring economic stability, carrying out democratic and constitutional reforms, advancing energy security, and supporting OSCE monitoring in eastern Ukraine. The Ukrainian Government has asked for more security assistance and continues to probe occasionally about the possibility of lethal assistance, including beefing up air defenses. Following the successful U.S. National Guard train and equip program which ended on Nov 8, multinational training of Ukrainian conventional and Special Forces began on November 23. The UK, Canada, Lithuania, and Estonia are also participating in training.
  
- 3. (SBU) Minsk Implementation:** You should relay to Poroshenko that the President Obama told President Putin at the G-20 summit that we insist on full implementation of the Minsk agreements. The President agreed with Quint leaders that the EU should renew its sanctions on Russia for six months to be followed by another six month extension if Russia and the separatists do not honor their Minsk commitments. In the past few weeks, combined Russian-separatist forces have ratcheted up attacks on Ukrainian positions, with reports of new weapons and personnel entering separatist territory from Russia. Russia and the separatists also continue to deny OSCE monitors access and to block the delivery of humanitarian supplies by UN agencies and NGOs. Recent meetings of the Normandy format and Trilateral Contact Group and its working groups have resulted in limited progress on some issues like demining, but none on the next key step of agreeing on Donbas election modalities. This is due to Russia and the separatists' refusal to engage on the election proposal put forward by Ukraine in the political working group, which the government is working to sell to political parties in the Rada simultaneously -- a big challenge. You should encourage Ukraine to put its best foot forward despite these difficulties and offer our help.

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- 3 -

**TALKING POINTS**

**1. (SBU) Unity and Reforms:**

- Now that the local elections are over, you and Prime Minister Yatsenyuk need to continue to show unity and reenergize reforms.
- You should do so in a major state-of-the-nation speech to the Rada in which you list the new reforms you plan to pass soon.
- Anti-corruption efforts have to be at the top of your agenda. That will mean standing up the National Investigative Bureau.
- It will also require changing the Prosecutor General who is damaging your credibility and obstructing the fight against corruption.
- I urge you to work with the Prime Minister to present a 2016 budget and tax plan that is in line with the IMF program.
- I commend your efforts on reform of the judiciary and hope that effort will continue to move ahead quickly.
- We agree that privatization will be critical, but it must be transparent and well-managed and we think that requires a holding entity that can prevent corruption until state-owned enterprises are fully private.

**2. (SBU) U.S. Support:**

- We will continue to stand behind you and your reform efforts.
- I will sign a billion-dollar loan guarantee with you today and announce additional, new assistance for Ukraine of nearly \$190 million.
- This assistance will go to reform priorities such as: fighting corruption, strengthening the rule of law, restoring economic stability, advancing energy security, carrying out democratic and constitutional reforms, and supporting OSCE monitoring in eastern Ukraine.
- This new announcement does not include security assistance, which we will continue to work separately with you and through the Multinational Joint Commission. I'm pleased the next phase of multinational training of Ukraine's conventional Special Forces started Nov 23.
- We need Ukraine to commit the personnel and resources to make this training effort and the Multinational Joint Commission successful.
- In addition to training, we urge you to commit to institutional reform to build long-term sustainable defense capacity. We stand ready to assist.
- We recognize Ukraine's right to self-defense. We have not ruled out providing lethal assistance, but are focused on supporting

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international efforts to find a diplomatic solution via the Minsk agreements.

**3. (SBU) Minsk Implementation:**

- At the G-20, President Obama told Putin that we insist on full implementation of Minsk.
- The President agreed with EU leaders that they will renew sanctions for six months, to be followed by another six months if needed.
- I applaud your efforts to implement Minsk, including your proposal on elections, even when the ceasefire appears under threat. We are concerned about that and have told Russia the violence must cease.
- You must forge ahead despite these challenges, especially in your work on Donbas local elections. I am glad you are working in parallel to build support among parties in the Rada, which we know is hard.
- We will continue to help you however we can.
- We are pressing the Normandy powers and working with others to resolve the continuing access problems for OSCE observers, UN agencies, and humanitarian organizations.

**PARTICIPANTS**

United States

Vice President Joseph Biden  
Ambassador Geoff Pyatt

Ukraine

President Petro Poroshenko  
TBC

Attachment:

Biographic Information

**SENSITIVE BUT UNCLASSIFIED**

Approved: EUR: A/S Victoria Nuland

Drafted: EUR/EE: [REDACTED] 7-4117 and cell: [REDACTED]

Cleared:

D:	[REDACTED]	()
P:	[REDACTED]	()
S/P:	[REDACTED]	(OK)
D-MR	[REDACTED]	(OK)

EUR/EE:	[REDACTED]	()
EUR/PD	[REDACTED]	(info)
EUR/PRA:	[REDACTED]	(OK)
EUR/RPM:	[REDACTED]	(OK)
EUR/RUS:	[REDACTED]	(OK)
EUR/ACE:	[REDACTED]	(OK)
D/CSP:	[REDACTED]	(OK)
F:	[REDACTED]	(OK)

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November 22, 2015

**Vice President Biden's Meeting with  
Ukrainian PM Arseniy Yatsenyuk  
December 7-8 (TBC)**

**GOALS AND OBJECTIVES**

(SBU) Your visit to Kyiv comes as infighting among the parties in Ukraine's governing coalition is growing and stalling progress on the government's agenda, popular disaffection with the government is mounting over difficult economic reforms and conditions, and public doubts are worsening over political leaders' (particularly PM Yatsenyuk and President Poroshenko) commitment to breaking with old-style politics and rooting out corruption. Your meeting with Yatsenyuk will be an opportunity to press for reenergizing the reform agenda, particularly critical progress on anti-corruption, offer new U.S. support, and encourage Ukraine to continue its efforts at Minsk implementation, particularly on securing an agreement on local elections in the Donbas. Your last meeting with Yatsenyuk was in Washington on July 14.

**BACKGROUND**

- (SBU) Unity and Reforms:** With local elections in the rear-view mirror and an economy that while still in difficulty, seems to have moved back from the precipice, the time is ripe to encourage immediate progress on reforms. You should recommend that Yatsenyuk work closely and collaboratively with Poroshenko on pushing forward reforms and note that showing unity with Poroshenko publically is necessary to instill public confidence in the government. There is wide agreement that anti-corruption must be at the top of the reform priority list, and that reforms must include an overhaul of the Prosecutor General's Office, including removal of Prosecutor General Shokin. Reform priorities should also include the judiciary and standing up the new national investigative bureau (akin to the FBI). You will want to agree with Yatsenyuk's vision for a 2016 budget and tax plan that are consistent with the IMF-recommended programs.
- (SBU) U.S. Assistance:** Yatsenyuk and Poroshenko will be looking for tangible signs of U.S. support to assist the Ukrainian people during these difficult times, facilitate further reforms, and help with efforts to defend against Russian aggression. You will sign our third billion-dollar

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- 2 -

loan guarantee and publicly announce FY 15 U.S. assistance for the first time: \$189,035,756 – which does not include security assistance (previously announced separately). Our support will go to top non-security priorities including: assistance to fight corruption, strengthening the rule of law, supporting civil society, restoring economic stability, carrying out democratic and constitutional reforms, advancing energy security, and supporting OSCE monitoring in eastern Ukraine. The Ukrainian government has asked for more security assistance and continues to probe occasionally about the possibility of lethal assistance, including beefing up air defenses. Following the successful U.S. National Guard train and equip program which ended on Nov 8, multinational training of Ukrainian conventional and Special Forces began on November 23. The UK, Canada, Lithuania, and Estonia are also participating in training.

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**TALKING POINTS**

1. **(SBU) Unity and Reforms:**
  - Now that the local elections are over, you and President Poroshenko need to continue to show unity and reenergize reforms.

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- 3 -

- Anti-corruption efforts have to be at the top of your agenda. That will mean standing up the National Investigative Bureau.
- It will also require changing the Prosecutor General, who is damaging your credibility and obstructing the fight against corruption.
- I urge you to work with President Poroshenko to present a 2016 budget and tax plan that is in line with the IMF program.
- I commend your efforts on reform of the judiciary and hope that effort will continue to move ahead quickly.
- We agree that privatization will be critical, but it must be transparent and well-managed, and we think that requires a holding entity that can prevent corruption until state-owned enterprises are fully private.

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- We need Ukraine to commit the personnel and resources to make this training effort and the Multinational Joint Commission successful.
- In addition to training, we urge you to commit to institutional reform to build long-term sustainable defense capacity. We stand ready to assist.
- We recognize Ukraine's right to self-defense. We have not ruled out providing lethal assistance, but are focused on supporting international efforts to find a diplomatic solution via the Minsk agreements.

**3. (SBU) Minsk Implementation:**

- At the G-20, President Obama told Putin that we insist on full implementation of Minsk.

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- 4 -

- The President agreed with EU leaders that they will renew sanctions for six months, to be followed by another six months if needed.
- I applaud your efforts to implement Minsk, including your proposal on elections, even when the ceasefire appears under threat. We are concerned about that and have told Russia the violence must cease.
- You must forge ahead despite these challenges, especially in your work on Donbas local elections. I am glad you are working in parallel to build support among parties in the Rada, which we know is hard.
- We will continue to help you however we can.
- We are pressing the Normandy powers and working with others to resolve the continuing access problems for OSCE observers, UN agencies, and humanitarian organizations.

**PARTICIPANTS**

United States

Vice President Joseph Biden  
Ambassador Geoff Pyatt

Ukraine

President Petro Poroshenko  
TBC

Attachment:

Biographic Information

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Approved: EUR: A/S Victoria Nuland

Drafted: EUR/EE: [REDACTED] 7-4117 and cell: [REDACTED]

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S/P:	[REDACTED]	(OK)
D-MR:	[REDACTED]	(OK)

EUR/EE:	[REDACTED]	()
EUR/PD:	[REDACTED]	(info)
EUR/PRA:	[REDACTED]	(OK)
EUR/RPM:	[REDACTED]	(OK)
EUR/RUS:	[REDACTED]	(OK)
EUR/ACE:	[REDACTED]	(OK)
D/CSP:	[REDACTED]	(OK)
F:	[REDACTED]	(OK)

# BEGINNING OF NEW RECORD

---

**From:** Zentos, Elisabeth <elisabeth\_f\_zentos@nsc.eop.gov>  
**Sent:** Thursday, January 21, 2016 10:46 AM  
**To:** Montgomery, Molly C; Ellsworth, Michael P  
**Subject:** FW: DT: US loan guarantee conditional on Shokin's dismissal

---

**From:** Zentos, Elisabeth  
**Sent:** Thursday, January 21, 2016 10:44 AM  
**To:** 'Pyatt, Geoffrey R' <PyattGR@state.gov>; Ciaramella, Eric <Eric\_A\_Ciaramella@nsc.eop.gov>; Makanju, Anna <Anna\_A\_Makanju@ovp.eop.gov>  
**Subject:** RE: DT: US loan guarantee conditional on Shokin's dismissal

Yes, just talked to the Desk about this.

Recommended that you or Post email Rory informing him of this view. Will be much more influential coming from you (or at least from someone at Post).

---

**From:** Pyatt, Geoffrey R [<mailto:PyattGR@state.gov>]  
**Sent:** Thursday, January 21, 2016 10:31 AM  
**To:** Ciaramella, Eric <[Eric\\_A\\_Ciaramella@nsc.eop.gov](mailto:Eric_A_Ciaramella@nsc.eop.gov)>; Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>; Makanju, Anna <[Anna\\_A\\_Makanju@ovp.eop.gov](mailto:Anna_A_Makanju@ovp.eop.gov)>  
**Subject:** RE: DT: US loan guarantee conditional on Shokin's dismissal

We also need to readdress all the LG anti-corruption conditions, since some of what we had been asking for is now OBE, and at this stage there's only one that really matters.

---

**From:** Ciaramella, Eric [[mailto:Eric\\_A\\_Ciaramella@nsc.eop.gov](mailto:Eric_A_Ciaramella@nsc.eop.gov)]  
**Sent:** Thursday, January 21, 2016 5:23 PM  
**To:** Pyatt, Geoffrey R; Zentos, Elisabeth (nsc.eop); Makanju, Anna  
**Subject:** RE: DT: US loan guarantee conditional on Shokin's dismissal

Yikes. I don't recall this coming up in our meeting with them on Tuesday, although we did discuss the fact that the PGO IG condition has not yet been met. (I've been meaning to write to you about our meeting—we were super impressed with the group, and we had a two-hour discussion of their priorities and the obstacles they face.)

In yesterday's IPC we agreed to come up with some interagency press guidance/TPs for UA officials on the Shokin/LG issue. So, we will circle back with EUR and our/their press folks to expedite that effort.

---

**From:** Pyatt, Geoffrey R [<http://redirect.state.sbu/?url=mailto:PyattGR@state.gov>]  
**Sent:** Thursday, January 21, 2016 10:03 AM

001823

**To:** Zentos, Elisabeth; Ciaramella, Eric; Makanju, Anna

**Subject:** FW: DT: US loan guarantee conditional on Shokin's dismissal

Buckle in

---

**From:** Pasichnyk, Volodymyr O <[PasichnykVO@state.gov](mailto:PasichnykVO@state.gov)>

**Sent:** Thursday, January 21, 2016 16:11

**To:** Kyiv, POL ALL

**Subject:** DT: US loan guarantee conditional on Shokin's dismissal

According to Dzerkalo Tyzhnya news website, “the U.S. State Department has made it clear to the Ukrainian authorities that it links the provision of a one billion dollar loan guarantee to Ukraine to the dismissal of Prosecutor General Viktor Shokin. This became known during the visit by Deputy PGs Vitaliy Kasko, David Sakvarelidze, and Anti-Corruption Prosecutor Nazar Kholodnytsky to the U.S. The Ukrainian officials are holding a number of professional and political meetings during their working visit to the U.S.”

[http://redirect.state.sbu/?url=http://zn.ua/POLITICS/ssha-privyazali-predostavlenie-ukraine-kreditnyh-garantiy-k-otstavke-shokina-201985 .html](http://redirect.state.sbu/?url=http://zn.ua/POLITICS/ssha-privyazali-predostavlenie-ukraine-kreditnyh-garantiy-k-otstavke-shokina-201985.html)<

This email is UNCLASSIFIED.

**From:** Bedingfield, Kate J. EOP/OVP  
**Sent:** Sun, 6 Dec 2015 16:23:56 +0000  
**To:** Pyatt, Geoffrey R; Carpenter, Michael R. EOP/OVP; Kahl, Colin H. EOP/OVP; Hochstein, Amos J; Nuland, Victoria J  
**Subject:** RE: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

Thx

-----Original Message-----

From: Pyatt, Geoffrey R [<http://redirect.state.sbu/?url=mailto:> ]  
Sent: Sunday, December 6, 2015 11:13 AM  
To: Bedingfield, Kate J. EOP/OVP >; Carpenter, Michael R. EOP/OVP >; Kahl, Colin H. EOP/OVP >; Hochstein, Amos J >; Nuland, Victoria J >  
Subject: Re: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

I'd adjust the last sentence to change our desired end state. Something like "...begin rooting out the cancer of corruption that has done so much over the years to hold back economic growth and sap the confidence of Ukrainians in those who govern them."

I assume all have the DoJ background on Zlochevsky. The short unclas version (in non lawyer language) is that US and UK were cooperating on a case to seize his corrupt assets overseas (which had passed through the US). The case fell apart when individuals in the PGO acted to thwart the UK case.

Sent from my BlackBerry 10 smartphone.

From: Bedingfield, Kate J. EOP/OVP  
Sent: Sunday, December 6, 2015 6:04 PM  
To: Carpenter, Michael; Pyatt, Geoffrey R; Kahl, Colin H. EOP/OVP; Hochstein, Amos J  
Subject: RE: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

Proposed TPs for the VP if he gets asked after the stories break in the next few days. Especially interested in your feedback on how to answer the third Q if he gets asked. He is not currently slated to take any questions from reporters on the record on the trip, but he will talk to our traveling press at length off the record and will need to be prepared to answer these kinds of questions.

#### TALKING POINTS

· My son is a private citizen and I'm not going to get into discussing his personal business, it has no impact on my work.

· What I will say, though, is that no one has been tougher in pushing Ukrainian leaders to root out corruption than I have. It has been a primary focus of my discussions, both publicly and privately, for years. And I think you can see from the substance of this trip it remains a major priority for me and for the US government.

· Important strides have been made – the appointment of a Special Anti-Corruption Prosecutor and the establishment of an independent Inspector General to prosecute corrupt prosecutors are two good ones. But much more needs to be done and we will continue to encourage everyone involved to commit to meaningful reforms.

Q: Have you asked Hunter to step down from the board? Has he discussed that with you?

A: I'm not going to discuss private conversations with my family. Hunter is a private citizen and does independent work.

Q: Do the optics of this situation undermine your credibility when you're pushing the Ukrainians to clean up their own house?

A: No. I have long pushed and will continue to push for the Ukrainian government to root out corrupt practices. My record on this speaks for itself. I have called on Ukrainian leadership to root out corruption, encouraged civil society reformers to remain focused on this and push the government themselves, and I welcome the news that the government will appoint a Special Anti-Corruption Prosecutor. Important steps have been taken, but there is so much left to be done. Corrupt officials must be brought to justice and reformers must work together to ensure this happens

Q: Do you think Zlochevsky is corrupt?

A: I'm not going to get into naming names or accusing individuals. We have been working consistently to push the Ukrainian leadership to make meaningful changes in the Prosecutor General's office and across the government to help ensure that the Ukrainian people are represented fairly and fully.

-----Original Message-----

From: Carpenter, Michael

[><http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:> [REDACTED]

[REDACTED] <

Sent: Sunday, December 6, 2015 6:23 AM

To: 'PyattGR [REDACTED]' <[REDACTED]>; Kahl, Colin H. EOP/OVP <[REDACTED]>;

Bedingfield, Kate J. EOP/OVP <[REDACTED]>

Subject: Re: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

Ugh.

+ Kate, CK

From: Pyatt, Geoffrey R  
[>[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto: \[REDACTED\]](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto: [REDACTED])]  
<

Sent: Sunday, December 06, 2015 01:45 AM

To: Carpenter, Michael

Subject: FW: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

A really nasty Russian outlet on the same issue

This email is UNCLASSIFIED.

From: lbi@lbicompany.com.ua  
[><http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:lbi@lbicompany.com.ua>]  
<

Sent: Saturday, December 05, 2015 7:05 PM

To: Kyiv, Media Alerts

Subject: Podrobnosti.biz : The Ukrainian scam of the Biden family (information on the website included)

this web site is very similar (stile, shrifts etc) to Ukrainian Podrobnosti that belongs to Inter TV Channel - the same name as its TV summary news block at 8pm

but we checked contacts and there is a Russian address there

Podrobnosti.biz

The Ukrainian scam of the Biden family

05.12.2015

Author: Eugene Prosvirin

The news that the son of the US Vice President Joe Biden was appointed to the board of directors of the Ukrainian gas company Burisma Holdings, for the first time appeared in media last spring.

The Internet marked this new appointment unequivocally - a massive stamping folklore entertainment began in social networks. The story had got a special piquancy - Joe Biden's visit to Kyiv in April, where he took a place of the president of Ukraine, not the guest at the negotiation table.

There were even such headlines: "Hunter Biden: a rape of Ukraine with a special cynicism."

The hatred among the public was coursed by the fact that Biden's tandem participates not only in Ukrainian politics, but in the Ukrainian business as well. However, neither Joe nor Hunter weren't ashamed of their imperial approach. On the contrary, they have demonstrated that this could be and should be.

Hunter demonstrated his true management potential in six months after the appointment. In mid-October 2014 it became clear that he failed out of the US Navy Reserve. Hunter failed an ordinary drug test - it was accused of cocaine use. A failed sailor, but a successful businessman due to family ties, said then that he was "deeply sorry" about the incident.

He still owns an investment-consulting company Rosemont Seneca Partners. Nobody took his place in the chair Board of the US World Food Programme, which, with other things, works directly with the UN World Food Programme. He still heads the Burisma Holdings, part of Kolomoisky's financial empire.

A tandem of the influential father and the enriched son opened not a small window but a real portal of capabilities for the Biden family in Ukraine. Analysts make an unnerving forecast : it is quite possible that the Biden family will begin a large-scale privatization in Ukraine, which in fact would be a banal raider seizure of state enterprises. The family has already watched their six at the politician field - it's time to do American business .

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With best regards,

LBI Team

>>[>>http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=www.lbicompany.com.ua](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=www.lbicompany.com.ua)<<

(044) 501 58 41

[REDACTED]

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With be

st regards,

LBI Team

>>[>>http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=www.lbicompany.com.ua](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=www.lbicompany.com.ua)<<

(044) 501 58 41

[REDACTED]

United States Senate  
WASHINGTON, DC 20510

February 12, 2016

H.E. Petro Poroshenko  
President of Ukraine  
Presidential Administration of Ukraine  
11 Bankova Street  
Kyiv, Ukraine 01220

Dear President Poroshenko,

As members of the U.S. Senate Ukraine Caucus and strong supporters of your government, we write to express our concern regarding the recent resignation of Minister of Economy Aivaras Abromavičius and his allegations of persistent corruption in the Ukrainian political system.

During the past year, Mr. Abromavičius and his team implemented tough but necessary economic reforms, worked to combat endemic corruption, and promoted more openness and transparency in government. He was known to many of us as a respected reformer and supporter of the Ukrainian cause. Minister Abromavičius's allegations raise concerns about the enormous challenges that remain in your efforts to reform the corrupt system you inherited.

We recognize that your governing coalition faces not only endemic corruption left from decades of mismanagement and cronyism, but also an illegal armed seizure of territory by Russia and its proxies. Tackling such obstacles to reforms amidst a war and the loss of much of southeastern Ukraine's economic productivity is a formidable challenge -- one which we remain committed to helping you overcome.

Succeeding in these reforms will show Russian President Vladimir Putin that an independent, transparent, and democratic Ukraine can and will succeed. It also offers a stark alternative to the authoritarianism and oligarchic cronyism prevalent in Russia. As such, we respectfully ask that you address the serious concerns raised by Minister Abromavičius. We similarly urge you to press ahead with urgent reforms to the Prosecutor General's office and judiciary. The unanimous adoption by the Cabinet of Ministers of the Basic Principles and Action Plan is a good step.

We very much appreciate your leadership and commitment to reform since the Ukrainian people demonstrated their resolve on the Maidan two years ago, and we look forward to continued cooperation in the future.

Sincerely,

*Rob Portman*

Senator Rob Portman

*Dick Durbin* *Jeanne Shaheen*

Senator Richard J. Durbin

Senator Jeanne Shaheen

*Ron Johnson*

Senator Ron Johnson

*Chris Murphy* *Mark Kirk*

Senator Chris Murphy

Senator Mark Kirk

*Richard Blumenthal*

Senator Richard Blumenthal

*Sherrod Brown*

Senator Sherrod Brown

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**From:** Segal-Knowles, Christina <christina\_m\_segal-knowles@nsc.eop.gov>  
**Sent:** Friday, January 15, 2016 8:45 PM  
**To:** Goldbrenner, Rachel A  
**Subject:** RE: PAPER IPC: Ukraine Loan Guarantee Conditions Precedent - Response requested by October 29  
**Attachments:** 2015-11-05 CPs for Ukraine LG3\_clean.docx

Rachel,

Here's nearly the latest CP document. We've made some very minor tweaks since this version, which I will dig up and send to you tomorrow but wanted to get something to you tonight. Will also loop you into the Ukraine IPC agenda chain when I distribute the agenda tomorrow morning.

Have a good weekend!

Christina

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**From:** Goldbrenner, Rachel A [mailto:GoldbrennerRA@state.gov]  
**Sent:** Friday, January 15, 2016 7:50 PM  
**To:** Segal-Knowles, Christina <Christina\_M\_Segal-Knowles@nsc.eop.gov>  
**Subject:** FW: PAPER IPC: Ukraine Loan Guarantee Conditions Precedent - Response requested by October 29

Christina,

Thanks again for your time just now.

Is this the proper CP document, or is there a more recent version?

Also thanks in advance for looping me in on the IPC distro.

Rachel

SBU  
This email is UNCLASSIFIED.

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**From:** Segal-Knowles, Christina [[mailto:Christina M Segal-Knowles@nsc.eop.gov](mailto:Christina_M_Segal-Knowles@nsc.eop.gov)]  
**Sent:** Friday, October 23, 2015 8:57 PM  
**To:** Wylie, Allison; 'ramin.toloui@treasury.gov'; 'Andres.Chong-Qui@treasury.gov'; Svenstrup, Mary; Daleep Singh; 'Matthew.Malloy@treasury.gov'; Leonard, Michael (Contact); Nuland, Victoria J; Jeffrey, Jahn F; EUR-EE-Ukraine Econ-DL; Romanowski, Alina L; Wynne, Janine M; F-EUR; Kubiske, Lisa; Watson, Samuel R; Dove, Amy N; Dunnigan, Robin L; Hochstrasser, Franz J.; Hochstein, Amos J; Pyatt, Geoffrey R; Bond, Clifford G; Laitinen, William H; Johnston, Thomas L; Saad, Fouad; Fairweather, Rob; Ryan, Erika; Murray, Matthew (trade); Chumak, Boris (trade); 'Daniel.Dodds@trade.gov'; 'skip.jones@trade.gov'; Mullaney, Dan; Hafner, Betsy (US Treasury Department); Lorenz, Andrew R; 'Andrea.Lockwood@hq.doe.gov'; 'Jonathan.Elkind@hq.doe.gov'; Urbanas, Elizabeth (Contact); 'Paul.Tumminia@Hq.Doe.Gov'; Katz, Jonathan; Gonzales, Laura (KYIV/DIR); McPherson, Donald B. (GC/EA); Gallagher, Leo; 'Bruce.Swartz@usdoj.gov'; Newcombe, Catherine; #EUROPE; Carpenter, Michael; #LEGISLATIVE; #STRATPLAN;

Stroh, Mark E.; Topping, Jennifer; Silkworth, William R; Goldbrenner, Rachel A

**Cc:** MacFarquhar, Rory; Leahy, Michael; Wylie, Allison

**Subject:** PAPER IPC: Ukraine Loan Guarantee Conditions Precedent - Response requested by October 29

All,

As discussed at the IPC on 9/30, departments and agencies are asked to approve the attached list of conditions precedent for a potential third loan guarantee for Ukraine. If approved, we would share these as our opening proposal to the government of Ukraine in advance of consultations on the loan guarantee. The final language will be subject to negotiation between the United States and Ukraine and departments and agencies will have additional chances to make line edits.

**Departments and agencies are asked to concur with the sub-IPC recommendation that the reform steps listed in the attached word document represent a satisfactory set of conditions precedent for our next Ukraine loan guarantee.** Clearance is requested at the IPC level (or above as you judge necessary to achieve departmental sign-off).

**Please send responses to [awylie@nsc.eop.gov](mailto:awylie@nsc.eop.gov) no later than COB October 29, copying me ([csegal-knowles@nsc.eop.gov](mailto:csegal-knowles@nsc.eop.gov)).**

The attached PDF document contains background, prepared by departments and agencies, on each of the proposed conditions precedent.

Best,  
Christina

---

**From:** Segal-Knowles, Christina

**Sent:** Thursday, October 01, 2015 8:33 AM

**To:** Wylie, Allison <[Allison\\_G\\_Wylie@nsc.eop.gov](mailto:Allison_G_Wylie@nsc.eop.gov)>; 'ramin.toloui@treasury.gov' <[ramin.toloui@treasury.gov](mailto:ramin.toloui@treasury.gov)>; 'Andres.Chong-Qui@treasury.gov' <[Andres.Chong-Qui@treasury.gov](mailto:Andres.Chong-Qui@treasury.gov)>; 'Mary.Svenstrup@treasury.gov' <[Mary.Svenstrup@treasury.gov](mailto:Mary.Svenstrup@treasury.gov)>; Singh, Daleep <[daleep.singh@treasury.gov](mailto:daleep.singh@treasury.gov)>; 'Matthew.Malloy@treasury.gov' <[Matthew.Malloy@treasury.gov](mailto:Matthew.Malloy@treasury.gov)>; 'Michael.Leonard2@treasury.gov' <[Michael.Leonard2@treasury.gov](mailto:Michael.Leonard2@treasury.gov)>; 'Nuland, Victoria J' <[nulandvj@state.gov](mailto:nulandvj@state.gov)>; 'Jeffrey, Jahn F' <[JeffreyJahnF@state.gov](mailto:JeffreyJahnF@state.gov)>; 'EUR-EE-Ukraine Econ-DL' <[EUR-EE-UkraineEcon-DL@state.gov](mailto:EUR-EE-UkraineEcon-DL@state.gov)>; 'Romanowski, Alina L' <[RomanowskiAL@state.gov](mailto:RomanowskiAL@state.gov)>; 'Wynne, Janine M' <[WynneJM@state.gov](mailto:WynneJM@state.gov)>; 'F-EUR@state.gov' <[F-EUR@state.gov](mailto:F-EUR@state.gov)>; 'Kubiske, Lisa' <[KubiskeL@state.gov](mailto:KubiskeL@state.gov)>; 'Watson, Samuel R' <[WatsonSR@state.gov](mailto:WatsonSR@state.gov)>; 'dovean@state.gov' <[dovean@state.gov](mailto:dovean@state.gov)>; 'dunniganRL@state.gov' <[dunniganRL@state.gov](mailto:dunniganRL@state.gov)>; 'Hochstrasser, Franz J.' <[HochstrasserFJ@state.gov](mailto:HochstrasserFJ@state.gov)>; 'hochsteinaj@state.gov' <[hochsteinaj@state.gov](mailto:hochsteinaj@state.gov)>; 'pyattgr@state.gov' <[pyattgr@state.gov](mailto:pyattgr@state.gov)>; 'Bond, Clifford G' <[BondCG@state.gov](mailto:BondCG@state.gov)>; 'Laitinen, William H' <[LaitinenWH@state.gov](mailto:LaitinenWH@state.gov)>; 'JohnstonTL@state.gov' <[JohnstonTL@state.gov](mailto:JohnstonTL@state.gov)>; Saad, Fouad <[Fouad\\_P\\_Saad@omb.eop.gov](mailto:Fouad_P_Saad@omb.eop.gov)>; Fairweather, Rob <[Robert\\_S\\_Fairweather@omb.eop.gov](mailto:Robert_S_Fairweather@omb.eop.gov)>; Ryan, Erika <[Erika\\_S\\_Hamalainen@omb.eop.gov](mailto:Erika_S_Hamalainen@omb.eop.gov)>; 'Matthew Murray' <[Matthew.Murray@trade.gov](mailto:Matthew.Murray@trade.gov)>; 'boris.chumak@trade.gov' <[boris.chumak@trade.gov](mailto:boris.chumak@trade.gov)>; 'Daniel.Dodds@trade.gov' <[Daniel.Dodds@trade.gov](mailto:Daniel.Dodds@trade.gov)>; 'skip.jones@trade.gov' <[skip.jones@trade.gov](mailto:skip.jones@trade.gov)>; Mullaney, Dan <[Daniel\\_Mullaney@USTR.EOP.GOV](mailto:Daniel_Mullaney@USTR.EOP.GOV)>; Hafner, Betsy <[Elizabeth\\_Hafner@USTR.EOP.GOV](mailto:Elizabeth_Hafner@USTR.EOP.GOV)>; Lorenz, Andrew <[Andrew\\_R\\_Lorenz@ustr.eop.gov](mailto:Andrew_R_Lorenz@ustr.eop.gov)>; 'Andrea.Lockwood@hq.doe.gov' <[Andrea.Lockwood@hq.doe.gov](mailto:Andrea.Lockwood@hq.doe.gov)>; 'Jonathan.Elkind@hq.doe.gov' <[Jonathan.Elkind@hq.doe.gov](mailto:Jonathan.Elkind@hq.doe.gov)>; 'Urbanas, Elizabeth (Contact)' <[Elizabeth.Urbanas@Hq.Doe.Gov](mailto:Elizabeth.Urbanas@Hq.Doe.Gov)>; 'Paul.Tumminia@Hq.Doe.Gov' <[Paul.Tumminia@Hq.Doe.Gov](mailto:Paul.Tumminia@Hq.Doe.Gov)>; 'jokatz@usaid.gov' <[jokatz@usaid.gov](mailto:jokatz@usaid.gov)>; 'Gonzales, Laura (KYIV/DIR)' <[lgonzales@usaid.gov](mailto:lgonzales@usaid.gov)>; 'Donald McPherson' <[bmcperson@usaid.gov](mailto:bmcperson@usaid.gov)>; 'Gallagher, Leo'

<[GallagherL@state.gov](mailto:GallagherL@state.gov)>; 'Bruce.Swartz@usdoj.gov' <[Bruce.Swartz@usdoj.gov](mailto:Bruce.Swartz@usdoj.gov)>; 'Newcombe, Catherine' <[Catherine.Newcombe@usdoj.gov](mailto:Catherine.Newcombe@usdoj.gov)>; #EUROPE <[@EUROPE@dsr.eop.gov](https://twitter.com/EUROPE)>; Carpenter, Michael <[MCarpenter@ovp.eop.gov](mailto:MCarpenter@ovp.eop.gov)>; #LEGISLATIVE <[@LEGISLATIVE@dsr.eop.gov](https://twitter.com/LEGISLATIVE)>; #STRATPLAN <[@STRATPLAN@nsc.eop.gov](https://twitter.com/STRATPLAN)>; Stroh, Mark <[Mark E Stroh@nsc.eop.gov](mailto:Mark_E_Stroh@nsc.eop.gov)>; 'Topping, Jennifer' <[ToppingJL@state.gov](mailto:ToppingJL@state.gov)>  
**Cc:** MacFarquhar, Rory <[Rory\\_MacFarquhar@who.eop.gov](mailto:Rory_MacFarquhar@who.eop.gov)>; Leahy, Michael <[Michael B Leahy@nsc.eop.gov](mailto:Michael_B_Leahy@nsc.eop.gov)>; Haubrich, Edward <[Edward J Haubrich@nsc.eop.gov](mailto:Edward_J_Haubrich@nsc.eop.gov)>; Lortie, Josh <[Joshua M Lortie@nsc.eop.gov](mailto:Joshua_M_Lortie@nsc.eop.gov)>  
**Subject:** RE: Ukraine Loan Guarantee IPC | Wednesday 9/30 at 8:30am, Situation Room

All, Apologies for the repeat email. I understand that some people are having trouble seeing the SOC pasted in the body of the email below. Please find it attached as well.

---

**From:** Segal-Knowles, Christina  
**Sent:** Thursday, October 01, 2015 8:05 AM  
**To:** Wylie, Allison <[Allison G Wylie@nsc.eop.gov](mailto:Allison_G_Wylie@nsc.eop.gov)>; 'ramin.toloui@treasury.gov' <[ramin.toloui@treasury.gov](mailto:ramin.toloui@treasury.gov)>; 'Andres.Chong-Qui@treasury.gov' <[Andres.Chong-Qui@treasury.gov](mailto:Andres.Chong-Qui@treasury.gov)>; 'Mary.Svenstrup@treasury.gov' <[Mary.Svenstrup@treasury.gov](mailto:Mary.Svenstrup@treasury.gov)>; Singh, Daleep <[daleep.singh@treasury.gov](mailto:daleep.singh@treasury.gov)>; 'Matthew.Malloy@treasury.gov' <[Matthew.Malloy@treasury.gov](mailto:Matthew.Malloy@treasury.gov)>; 'Michael.Leonard2@treasury.gov' <[Michael.Leonard2@treasury.gov](mailto:Michael.Leonard2@treasury.gov)>; 'Nuland, Victoria J' (<[nulandvj@state.gov](mailto:nulandvj@state.gov)>) <[nulandvj@state.gov](mailto:nulandvj@state.gov)>; 'Jeffrey, Jahn F' <[JeffreyJahnF@state.gov](mailto:JeffreyJahnF@state.gov)>; 'EUR-EE-Ukraine Econ-DL' <[EUR-EE-UkraineEcon-DL@state.gov](mailto:EUR-EE-UkraineEcon-DL@state.gov)>; 'Romanowski, Alina L' <[RomanowskiAL@state.gov](mailto:RomanowskiAL@state.gov)>; 'Wynne, Janine M' <[WynneJM@state.gov](mailto:WynneJM@state.gov)>; 'F-EUR@state.gov' <[F-EUR@state.gov](mailto:F-EUR@state.gov)>; 'Kubiske, Lisa' <[KubiskeL@state.gov](mailto:KubiskeL@state.gov)>; 'Watson, Samuel R' <[WatsonSR@state.gov](mailto:WatsonSR@state.gov)>; 'dovean@state.gov' <[dovean@state.gov](mailto:dovean@state.gov)>; 'dunniganRL@state.gov' <[dunniganRL@state.gov](mailto:dunniganRL@state.gov)>; 'Hochstrasser, Franz J.' <[HochstrasserFJ@state.gov](mailto:HochstrasserFJ@state.gov)>; 'hochsteinaj@state.gov' <[hochsteinaj@state.gov](mailto:hochsteinaj@state.gov)>; 'pyattgr@state.gov' <[pyattgr@state.gov](mailto:pyattgr@state.gov)>; 'Bond, Clifford G' <[BondCG@state.gov](mailto:BondCG@state.gov)>; 'Laitinen, William H' <[LaitinenWH@state.gov](mailto:LaitinenWH@state.gov)>; 'JohnstonTL@state.gov' <[JohnstonTL@state.gov](mailto:JohnstonTL@state.gov)>; Saad, Fouad <[Fouad P. Saad@omb.eop.gov](mailto:Fouad_P_Saad@omb.eop.gov)>; Fairweather, Rob <[Robert S. Fairweather@omb.eop.gov](mailto:Robert_S_Fairweather@omb.eop.gov)>; Ryan, Erika <[Erika S Hamalainen@omb.eop.gov](mailto:Erika_S_Hamalainen@omb.eop.gov)>; 'Matthew Murray' <[Matthew.Murray@trade.gov](mailto:Matthew.Murray@trade.gov)>; 'boris.chumak@trade.gov' <[boris.chumak@trade.gov](mailto:boris.chumak@trade.gov)>; 'Daniel.Dodds@trade.gov' <[Daniel.Dodds@trade.gov](mailto:Daniel.Dodds@trade.gov)>; 'skip.jones@trade.gov' <[skip.jones@trade.gov](mailto:skip.jones@trade.gov)>; Mullaney, Dan <[Daniel Mullaney@USTR.EOP.GOV](mailto:Daniel_Mullaney@USTR.EOP.GOV)>; Hafner, Betsy <[Elizabeth Hafner@USTR.EOP.GOV](mailto:Elizabeth_Hafner@USTR.EOP.GOV)>; Lorenz, Andrew <[Andrew R Lorenz@ustr.eop.gov](mailto:Andrew_R_Lorenz@ustr.eop.gov)>; 'Andrea.Lockwood@hq.doe.gov' <[Andrea.Lockwood@hq.doe.gov](mailto:Andrea.Lockwood@hq.doe.gov)>; 'Jonathan.Elkind@hq.doe.gov' <[Jonathan.Elkind@hq.doe.gov](mailto:Jonathan.Elkind@hq.doe.gov)>; 'Urbanas, Elizabeth (Contact)' <[Elizabeth.Urbanas@Hq.Doe.Gov](mailto:Elizabeth.Urbanas@Hq.Doe.Gov)>; 'Paul.Tumminia@Hq.Doe.Gov' <[Paul.Tumminia@Hq.Doe.Gov](mailto:Paul.Tumminia@Hq.Doe.Gov)>; 'jokat@usaid.gov' <[jokat@usaid.gov](mailto:jokat@usaid.gov)>; 'Gonzales, Laura (KYIV/DIR)' <[lgonzales@usaid.gov](mailto:lgonzales@usaid.gov)>; 'Donald McPherson' <[bmcperson@usaid.gov](mailto:bmcperson@usaid.gov)>; 'Gallagher, Leo' <[GallagherL@state.gov](mailto:GallagherL@state.gov)>; 'Bruce.Swartz@usdoj.gov' <[Bruce.Swartz@usdoj.gov](mailto:Bruce.Swartz@usdoj.gov)>; 'Newcombe, Catherine' <[Catherine.Newcombe@usdoj.gov](mailto:Catherine.Newcombe@usdoj.gov)>; #EUROPE <[@EUROPE@dsr.eop.gov](https://twitter.com/EUROPE)>; Carpenter, Michael <[MCarpenter@ovp.eop.gov](mailto:MCarpenter@ovp.eop.gov)>; #LEGISLATIVE <[@LEGISLATIVE@dsr.eop.gov](https://twitter.com/LEGISLATIVE)>; #STRATPLAN <[@STRATPLAN@nsc.eop.gov](https://twitter.com/STRATPLAN)>; Stroh, Mark <[Mark E Stroh@nsc.eop.gov](mailto:Mark_E_Stroh@nsc.eop.gov)>; 'Topping, Jennifer' <[ToppingJL@state.gov](mailto:ToppingJL@state.gov)>  
**Cc:** MacFarquhar, Rory <[Rory\\_MacFarquhar@who.eop.gov](mailto:Rory_MacFarquhar@who.eop.gov)>; Leahy, Michael <[Michael B Leahy@nsc.eop.gov](mailto:Michael_B_Leahy@nsc.eop.gov)>; Haubrich, Edward <[Edward J Haubrich@nsc.eop.gov](mailto:Edward_J_Haubrich@nsc.eop.gov)>; Lortie, Josh <[Joshua M Lortie@nsc.eop.gov](mailto:Joshua_M_Lortie@nsc.eop.gov)>  
**Subject:** SOC: Ukraine Loan Guarantee IPC | Wednesday 9/30 at 8:30am, Situation Room

All, thank you for a productive meeting yesterday. Please find a SOC below.

It was agreed:

- The IPC concluded that (1) Ukraine has made sufficient progress on its reform agenda to justify a third guarantee and (2) Ukraine has an economic need for the guarantee and it is in our strategic interest to provide one. As such, the IPC recommends moving forward with a third loan guarantee for Ukraine in the near-term, noting State/F's preference to issue the guarantee as late as possible to allow more clarity on the budget context and Embassy Kyiv and Treasury's assessment that Ukraine needs the guarantee by end-2015.
- The IPC notionally approves the following proposed conditions precedent, with the caveats listed below

- Macroeconomic Stability
  - Social Safety Net
  - Anti-Corruption (e-procurement) – but with revised CP language that is more specific.
  - Rule of Law (prosecutor general’s office) – but with a preference to revise the CP to better ensure that the decision to set up an independent inspector general cannot be easily overturned and that the independent inspector general is subject to appropriate oversight and accountability.
- USAID, working with State, will revise the Anti-Corruption/e-procurement CP to make it more specific **(USAID and State by October 6)**
  - State (including via consultation with State/INL) and DOJ will explore options to further strengthen the PGO CP and submit a revised proposal **(State and DOJ by October 6)**
  - The IPC recommends dropping from consideration the conditions related to Naftogaz receivables, privatization, and the deposit guarantee fund.
  - The IPC will be open to reconsidering the condition on the independent energy regulator if there is new information that suggests that the condition is achievable and that including this condition in our loan guarantee agreement will make a material difference in advancing this reform.
  - Departments and agencies will continue to search for conditions precedent that would represent a significant but achievable step forward on key reforms **(all by October 6)**. In particular:
    - Treasury will complete draft one-pagers on potential financial disclosure and large taxpayer unit CPs, drawing on information from their ongoing consultation with the IMF and World Bank **(Treasury by October 6)**
    - USAID, with input from Post and DOE, will update the one-pager on the electricity market law to better reflect the current state of play and any political risks **(USAID, State, DOE by October 6)**
    - State, working with USAID, will revise the draft CP on e-Governance to make it more concrete. **(State and USAID by October 6)**
  - NSC will host a sub-IPC to discuss new and revised conditions precedent. **Please note that this sub-IPC has been scheduled for Wednesday, October 7 at 9:00 am in the White House Situation Room.** We will send a separate invitation later this morning.

**Third U.S. Loan Guarantee: Proposed Conditions Precedent**

1. **IMF PROGRAM:** Ukraine shall fulfill all IMF prior actions of economic reforms and macroeconomic policies necessary to obtain IMF Board approval of the second review of the Extended Fund Facility (EFF) Arrangement. Ukraine shall provide to USAID written verification of its intent to remain in compliance with the EFF Arrangement.
2. **SOCIAL SAFETY NET:** Ukraine shall affirm in writing that proceeds from the U.S. loan guarantee will contribute to social spending to help protect the most vulnerable Ukrainians from the impact of necessary economic adjustments, including continued reductions in untargeted energy subsidies.

Ukraine also shall affirm its commitment to continue implementing income testing in the energy privileges (EP) program, in accordance with Law 76-VIII/2014, to improve the targeting of social-assistance benefits. Ukraine shall affirm its intent to provide to USAID, through [specify ministry or office], quarterly reports for one (1) year beginning on [date] on the number of beneficiaries in Housing Utility Subsidy (HUS) and EP programs; the total value of fiscal transfers for HUS and EP; and the number of applications received for HUS and EP.

3. **PUBLIC PROCUREMENT:** Ukraine shall submit to Parliament a new law formalizing the use of electronic procurement for government acquisition of goods and services to increase transparency and efficiency in government procurement.
4. **PROSECUTOR GENERAL'S OFFICE:** Ukraine shall provide to USAID a copy of the comprehensive regulation, adopted by the Prosecutor General, which ensures the independent operations of the Office of Inspector General (IG) of the Prosecutor General's Office (PGO). The regulation shall clearly define the PGO IG's jurisdiction, powers, and authority, to enable it to perform its functions in a manner that is effective and credible, and that increases the accountability of the PGO to the public. The regulation shall be endorsed by the U.S. Department of Justice.
5. **NAFTOHAZ CORPORATE REFORM:** Ukraine shall take the following actions towards improving corporate governance at Naftohaz in line with the Corporate Governance Action Plan (CGAP) agreed to with the European Bank for Reconstruction and Development: the Cabinet of Ministers shall: 1) approve the restated Charter of Naftohaz, as specified in Action 1.2 and Action 1.3.1 in the CGAP; 2) approve and make public the Nomination Policy for the Supervisory Board of Naftohaz and the criteria for the Supervisory Board Members; 3) authorize the committee created by the Ministry of Economic Development and Trade to be used as a nominating committee for the candidates for the Supervisory Board of

SENSITIVE BUT UNCLASSIFIED

Naftohaz; and 4) publish on the Internet the job descriptions for Supervisory Board Members, as specified in Action 1.3.6 and Action 1.3.7 in the CGAP.

6. **TAX ADMINISTRATION REFORM:** Ukraine shall provide evidence that Ukraine's State Fiscal Service has transferred the files of all taxpayers meeting large-taxpayer criteria to the Large Taxpayer Office (LTO) and has assigned staff to each new large-taxpayer file. Ukraine shall also affirm in writing its commitment to provide adequate resources to the LTO and satisfy the IMF structural benchmark.
7. **ASSET DISCLOSURE:** Ukraine shall affirm in writing that it has developed an IT system to manage asset disclosures of high-level officials and shall provide evidence that it has begun posting asset disclosures of high-level government officials electronically and publicly.



United States Department of State

Washington, D.C. 20520

The Honorable  
Ron Johnson, Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, DC 20515

SEP 04 2020

Dear Mr. Chairman:

Thank you for your April 30 letter which requested interviews with Department employees, including United States Ambassador to Greece Geoffrey Pyatt. As you know, Ambassador Pyatt is currently serving in Athens and undertaking critical diplomatic efforts to prevent armed conflict between Greece and Turkey.

The Department is prepared to suggest two options to be responsive to the Committee's inquiries, consistent with Ambassador Pyatt's current responsibilities. To expedite you receiving answers to your questions, the Department can facilitate Ambassador Pyatt providing written responses to your unclassified and/or classified questions in an appropriate manner no later than September 9. This format will allow him to review and answer your questions more fully regarding his work as U.S. Ambassador to Ukraine from July 2013 through August 2016. It also will ensure he is able to address your questions without compromising his ability to perform his critical duties during a fragile time in the Eastern Mediterranean. The Department also understands he recently engaged private counsel, which would make a transcribed interview in the very near future difficult, consistent with his right to counsel. In light of these considerations, Ambassador Pyatt would strongly prefer a question and answer format. He is, however, also willing to participate in a voluntary transcribed interview on or about September 15, 2020, subject to discussions on scope and timing, and the operational demands of his work in Athens.

We hope one of these options is acceptable to you. Please let us know if this format is acceptable to you.

Sincerely,

Ryan M. Kaldahl  
Acting Assistant Secretary  
Bureau of Legislative Affairs

Cc: The Honorable  
Gary Peters, Ranking Member  
Committee on Homeland Security and Governmental Affairs

## Unified Pyatt Transcript Errata

- HSGAC Majority

Page	Line	Correction
16	20	It should read “Committee” rather than “Committees”
21	13	It should read “Securing the mission” rather than “the security mission”
21	17	It should read “Turchynov” rather than “Turchinov”
35	24	It should read “functioning” rather than “function”
45	25	It should read “made pointed” rather than “they pointed”
48	1	It should read “Ciaramella” rather than “Ciaramello”
48	11	It should read “Ciaramella” rather than “Ciaramello”
50	5	It should read “Ciaramella” rather than “Ciaramello”
50	12	It should read “Ciaramella” rather than “Ciaramello”
50	17	It should read “Ciaramella” rather than “Ciaramello”
90	11	Add a comma after “this”
90	12	At “it” in between “shut” and “off”
91	9	It should read “Kolomoisky” rather than “Kolomoyskyi”
91	15	It should read “Kolomoisky” rather than “Kolomoyskyi”
94	14	It should read “Zlochevsky” rather than “Loches's”
95	18	It should read “who we spoke” rather than “who was spoke”
97	3	It should read “They didn’t” rather than “I didn’t”
106	9	It should read “thwarting” rather than “forwarding”
106	16	It should read “dependent” rather than “depended”

- Finance Majority

- Done

- HSGAC Minority

Page	Line	Correction
24	20	Delete
24	23-24	Delete
59	13	Change “it” to “that”
60	13-14	Capitalize the first letter of each word in ““Treasury sanctions Russia-linked election interference actors”
60	15	Add a dash after “mid”

60	18	Capitalize the first letters of “presidential election”
60	21	Delete “the”
61	1	Delete
61	9	Add quotation marks around “no evidence of wrongdoing or illegal activity”
62	1	Delete “Biden—pardon me, to assist”
65	25	Delete “with which—“
73	16	Capitalize the first letters of “prosecutor general’s”
73	24	Delete “And why did you—“ and capitalize the first letter of the remaining “you”
75	9	Change “Chairman Graham.” to “MR. SCHRAM:”
79	5	Capitalize the first letters of “prosecutor general’s office” and remove the comma after “office”
79	6	Delete “the”
79	16	Delete “How was the policy—“
79	17	Capitalize the first letter of “specifically”
97	3	Delete
97	13-17	Delete
97	18-19	Delete “Well, let’s do it since Zack didn’t think we were going to get to it.”
108	7-May	Delete “we’ve discussed with the Majority, and apologies for the hot mic incident. Thank you, Brian, for your grace in handling it”; change “Was” in line 7 to “was”
108	14	Delete
111	23	Delete “proposed conditions of—“
112	2	Capitalize the first letters of “prosecutor general’s office”
114	10	Change “the Ukrainian—quote, Ukrainian” to “”The Ukrainian”
114	11	Add a period at the end.
114	16	Change “of” to “in” and add quotation marks around “large-scale privatization in Ukraine”
114	20	Add quotation marks around “seizure of state enterprises”
116	24	Delete “policy,”

- Finance Minority
  - Pending

- Counsel

Page	Line	Correction
15	21	Fix spelling of "Advisor" (not "Adviser")
16	25	Change "policy" to "policy process" so the sentence reads "... he was just one part of a large interagency policy process."
17	8	Change "bit of big picture" to "bit of the big picture"
21	13	"security of our mission and personnel, which is..."
21	21	Change "parents and flowers" to "candles and flowers" so the sentence reads "there were so many people with strollers and candles and flowers"
22	8	"ourselves" (not yourself)
23	5	Change "all about" to read "along the lines of" so it reads "INL Bureau provided funding for a major police reform program along the lines of what had happened in Georgia"
25	15	"We had" not have
29	16-17	"would be recorded in classified state department traffic"
30	18	Change "have appropriate" to "have an appropriate" so it reads "... and have an appropriate sense of humility..."
32	7	Change "very" to "every" so it reads "anticorruption was on the agenda every time he came."
33	4-5	"And I fully recognize that I served as Ambassador in Ukraine in a historic period and I want the historians to get it right."
34	19	"despite many chances"
34	24	Change "function" to "functioning" so it reads "modern European and functioning economy..."
36	2	Change "as top priority" to "as a top priority" so it reads "...bipartisan policy that saw corruption as a top priority"
37	10	should be \$1 billion
41	18	"what he couldn't get on the battlefield"
42	23	Change "five years" to "five years ago" so it reads "... and even if you had gotten me five years ago I wouldn't have been able to be in a position to tell you when that change happened ..."
43	12	"PDAS"
50	1	"ring" not bring
53	19	Change "So Lot" to "So a lot"
54	7	Change "So I just keep going" to "So I'll just keep going"
55	18	Change "is" to "his"
60	2	"malign interests"
65	7	"other reformers"
67	19	Change "conformation" to "confirmation"

70	18	Change “belong” to “belonging” so it reads “I remember there was one residence belonging to one of his...”
72	14	“in State Department reporting cables”
75	9	Remove random Chairman Graham notation
82	4	"worked for"
86	20	"judiciary" not fiduciary
89	25	Change “maligned influence” to “malign influence”
90	13	Change “maligned influence” to “malign influence”
93	4	“with the United Kingdom”
94	14	“Zlochevsky’s role”
99	4	"firehose of issues"
100	21	"policy of the US"
106	9	"thwarting of Vladamir..."
106	16	"dependent on Russia dictator"

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UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

- - - - -x

INTERVIEW OF: :

KAREN A. TRAMONTANO :

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- - - - -x

Room SD-342 and via Webex  
Dirksen Senate Office Building  
Washington, D.C.  
Friday, August 28, 2020  
10:16 a.m.

INTERVIEW OF KAREN A. TRAMONTANO

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2 For the Witness:

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15 For Senator Johnson:

16 JOSEPH C. FOLIO, III, Chief Counsel, HSGAC

17 SCOTT WITTMANN, Senior Professional Staff Member, HSGAC

18 BRIAN DOWNEY, Senior Investigator, HSGAC

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20 SARAH SMERLING, Professional Staff Member, HSGAC

21 WILLIAM SACRIPANTI, Professional Staff Member, HSGAC

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23

24

25

1 APPEARANCES: (Continued)

2 For Senator Grassley:

3 JOSHUA FLYNN-BROWN, Deputy Chief Investigative Counsel,

4 Finance Committee

5 QUINTON BRADY, Investigative Counsel, Finance Committee

6

7 For Senator Peters:

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10 SOUMYALATHA DAYANANDA, Minority Senior Investigative

11 Counsel, HSGAC

12 VALERIE SHEN, Investigative Counsel, HSGAC

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14 For Senator Wyden:

15 DAVID BERICK, Minority Chief Investigator, Finance

16 Committee

17 DAN GOSHORN, Minority Senior Counsel, Finance Committee

18 JOSH HEATH, Minority Investigator, Finance Committee

19 MICHAEL OSBORN-GROSSO, Minority Investigator, Finance

20 Committee

21

22

23

24

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1 P R O C E E D I N G S

2 MR. FOLIO: Good morning, everyone. This is a  
3 transcribed interview of Ms. Karen Tramontano conducted by  
4 the Senate Committee on Homeland Security and Governmental  
5 Affairs and the Senate Committee on Finance. This interview  
6 was requested by Chairman Ron Johnson and Chairman Charles  
7 Grassley as part of the committees' investigation of whether  
8 there were any actual or apparent conflicts of interest or  
9 any other wrongdoing with regard to the Obama administration  
10 Ukraine policy or Burisma Holdings as well as related  
11 matters.

12 On December 3rd, 2019, Chairman Grassley and Chairman  
13 Johnson sent a letter to Blue Star Strategies requesting  
14 information. Since then, Chairman Grassley and Chairman  
15 Johnson have requested Ms. Tramontano's appearance for a  
16 voluntary transcribed interview.

17 In response through counsel and also through the  
18 company, they have provided us with records that are  
19 responsive not only to our voluntary request for information  
20 but also responsive to the subpoena.

21 Ms. Tramontano, can you please state your full name for  
22 the record.

23 MS. TRAMONTANO: It's Karen Ann Tramontano.

24 MR. FOLIO: Good morning, Ms. Tramontano. My name  
25 again is Joseph Folio. I'm the chief counsel for the

1 Homeland Security and Governmental Affairs Committee. I'm  
2 going to introduce the other members of Chairman Johnson's  
3 staff who are joining me in the hearing room today, and then  
4 I will ask the other staff to introduce themselves.

5 So from Chairman Johnson's staff joining me, Scott  
6 Wittman, Brian Downey, Sarah Smerling, and Will Sacripanti.

7 I'll ask Chairman Grassley's staff to introduce  
8 themselves.

9 MR. FLYNN-BROWN: Good morning, Ms. Tramontano. My  
10 name is Josh Flynn-Brown. I'm deputy chief investigative  
11 counsel for Chairman Grassley, and today I'm joined by my  
12 colleague, Quinton Brady.

13 MR. FOLIO: I'll ask Senator Peters' staff to introduce  
14 themselves.

15 MR. SCHRAM: Good morning, Ms. Tramontano. Thank you  
16 for your time today. The Minority's participation is not an  
17 endorsement of the investigation. As the Ranking Members  
18 have said publicly, they believe this investigation advances  
19 a rush-in-disinformation campaign and is intended to  
20 interfere in our 2020 presidential election.

21 We are now 67 days away from the election. Just a few  
22 weeks ago on August 7th, the director of the National  
23 Counterintelligence and Security Center, William Evanina,  
24 issued an unclassified assessment of foreign election  
25 threats stating, quote, Russia is using a range of measures

1 to primarily denigrate former Vice President Biden. For  
2 example, pro-Russia Ukrainian Parliamentarian Andrii Derkach  
3 is spreading claims about corruption, including through  
4 publicizing leaked phone calls to undermine former Vice  
5 President Biden's candidacy and the Democratic Party. The  
6 chairman's investigation has provided the United States  
7 Senate and our committees as a platform to amplify the  
8 Russian attack on our election described by Mr. Evanina.  
9 Chairman Johnson has repeatedly admitted that the  
10 investigation is targeted at influencing voters and hurting  
11 Vice President Biden's presidential candidacy.

12 In March 2020, hours after Joe Biden became the top  
13 Democratic contender, Chairman Johnson stated, quote, And if  
14 I were a Democrat primary voter, I'd want these questions  
15 satisfactorily answered before I cast my final vote.

16 Earlier this month in describing the investigation,  
17 Chairman Johnson said, quote, I would think it would  
18 certainly help Donald Trump win reelection and certainly be  
19 pretty good, I would say, evidence about not voting for Vice  
20 President Biden.

21 I would also note we are conducting this interview  
22 remotely because we are in the midst of a pandemic that has  
23 created an extraordinary public health crisis in the United  
24 States. Since this investigation started, more than 180,000  
25 Americans have died of COVID. The Homeland Security and

1 Governmental Affairs Committee has jurisdiction over  
2 pandemic preparedness and response, and yet this committee  
3 has now spent considerably more time on the record in this  
4 investigation than it has devoted to all of its COVID  
5 hearings combined.

6 As Chairman Johnson told a radio host on August 12th,  
7 quote, Whether I am in D.C. or not, I'm working on this  
8 almost nonstop, okay? So is my staff.

9 Ranking Member Peters believes that this investigation  
10 is a misuse of committee resources that does not advance the  
11 health, safety, or economic security of Americans,  
12 consistent with our committee's mission. We have a right  
13 and responsibility to be here, and we will do our best to  
14 ensure that you are treated fairly, that the record is  
15 accurate and complete, and that the national security of the  
16 United States is protected.

17 I am joined by my colleague, Soumya Dayananda, Valerie  
18 Shen, and Roy Awabdeh.

19 MR. FOLIO: And for the record, I am going to first  
20 refer to the several times, both in transcripts and in other  
21 public statements and letters, that we have responded to the  
22 allegations from Senator Peters' staff.

23 I can also note that the handful of hours that we've  
24 spent in interviews in no way comes close to the number of  
25 hours that the rest of our staff and some of this staff has

1 actually spent focused on the COVID issue. I can't speak  
2 for Chairman Peters, but it's certainly more than a few  
3 hours of interviews with witnesses, especially when compared  
4 to the 25-plus people we have on staff.

5       Regardless, we've also noted that this investigation is  
6 based entirely, almost entirely on U.S. records, U.S.  
7 companies like Blue Star, and former and current government  
8 officials to the connections that happened, and any of the  
9 allegations of disinformation or advancing such claim are  
10 baseless and demonstrate so in multiple public filings.

11       Ranking Member Wyden's staff?

12       MR. BERICK: Thank you. I am David Berick. I am the  
13 chief investigator for the Democratic staff of the Senate  
14 Finance Committee. I am joined by Dan Goshorn, Josh Heath,  
15 and Michael Osborn-Grosso.

16       For the record, we associate ourselves with Mr.  
17 Schram's remarks concerning this investigation. This  
18 investigation has been made a Finance Committee  
19 investigation by Chairman Grassley, and the Committee  
20 Minority has a right to participate. As such, our  
21 participation is not an endorsement of the investigation.

22       We believe that the bases cited by Chairman Johnson and  
23 Chairman Grassley are unfounded and had been refuted by  
24 witnesses who testified before the House during the  
25 impeachment proceeding, before the Senate Intelligence

1 Committee, and now before these committees as well.

2       We note that on August 18th, the Senate Select  
3 Committee on Intelligence issued the fifth volume of its  
4 investigation into Russian interference in the 2016  
5 election, which casts further doubt on the merits of this  
6 investigation and the credibility and the sources such as  
7 Andrii Telizchenko, an individual we will hear more about  
8 from today's witness.

9       Furthermore, Ranking Member Wyden has expressed  
10 particular concern in the record upon which this  
11 investigation is being conducted is complete. The Majority  
12 has--Minority has not received documents that's requested  
13 from the administration, especially documents related to Mr.  
14 Zlochevsky, the owner of Burisma, and Viktor Shokin from the  
15 Ukraine prosecutor general's office.

16       Furthermore, although the State Department is  
17 voluntarily cooperating with the majority, they have refused  
18 requests by Ranking Member Wyden to receive information.

19       We also note, as Mr. Schram noted, that the  
20 investigation, bringing the investigation, over 5.8 million  
21 of Americans contracted COVID-19. More than 177,000 have  
22 died. The Finance Committee has responsibility for Medicare  
23 and Medicaid programs, including oversight of nursing homes.  
24 The disease has disproportionately impacted those  
25 populations.

1           Finally, also, as Mr. Schram noted, the election is 67  
2 days away, with many Americans attempting to vote by mail  
3 and through absentee and early voting well before then. We  
4 agree with the assessment that Chairman Johnson has made it  
5 clear in his statements to the media that he intends to  
6 report the findings of this and related investigations in an  
7 effort to discredit Vice President Biden and to influence  
8 that election.

9           MR. FOLIO: Ms. Tramontano, I will now explain how the  
10 interview will proceed.

11           The Federal Rules of Civil Procedure do not apply to  
12 any of the committee's investigative activities, including  
13 transcribed interviews.

14           The way questioning will proceed is that we will  
15 alternate between the Majority and Minority staff for one  
16 hour each. The Majority staff will begin for an hour, and  
17 then the Minority staff will have an opportunity to ask its  
18 questions for an hour. Then we will rotate back and forth  
19 until there are no more questions.

20           During the interview, we will do our best to limit the  
21 number of people who are directing questions at you during  
22 any given hour. That said, from time to time, a follow-up  
23 question or clarifying question may be helpful, and if  
24 that's the case, you may hear from other staff around the  
25 virtual table. And because we are all virtual, I will ask

1 everyone just to please speak slowly and allow opportunities  
2 to be heard clearly, especially for Ms. Gray, the reporter.

3 Ms. Gray is going to create a verbatim record of what  
4 we discuss today. With that in mind, Ms. Tramontano, it's  
5 important that you respond to our questions verbally. The  
6 reporter cannot properly record nonverbal responses or  
7 gestures. Do you understand this?

8 MS. TRAMONTANO: Yes, I do.

9 MR. FOLIO: We encourage witnesses that appear before  
10 the committee to freely consult with counsel. Do you have  
11 counsel present with you today?

12 MS. TRAMONTANO: Yes, I do.

13 MR. FOLIO: And for the record, can counsel please  
14 state their name.

15 MR. KADZIK: Yes. It's Peter Kadzik, K-a-d-z-i-k.

16 MR. FOLIO: Thank you, Peter.

17 Ms. Tramontano, we want you to answer our questions in  
18 the most complete and truthful manner possible. So we're  
19 going to take our time. If you have any questions or do not  
20 understand what is being asked, just let us know. We'll be  
21 happy to clarify or repeat. Do you understand?

22 MS. TRAMONTANO: Yes, I do.

23 MR. FOLIO: It's the committee's practice to honor  
24 valid common law privilege claims as an accommodation to a  
25 witness or party when those claims are made in good faith

1 and accompanied by sufficient explanation so that the  
2 committees can evaluate the claim. On deciding whether to  
3 honor a privilege, the committees weigh their need for the  
4 information against any legitimate basis for withholding it.

5 This interview is occurring without prejudice to any  
6 future discussions with the committees, and we reserve the  
7 right to request your participation in future interviews  
8 where we compel testimony.

9 Ms. Tramontano, if you need to take a break, please let  
10 us know. We will ordinarily take a break at the end of each  
11 hour, but if you need to take a break before then, just let  
12 us know. All right?

13 MS. TRAMONTANO: Yes. Thank you.

14 MR. FOLIO: Ms. Tramontano, you are required to answer  
15 questions before Congress truthfully. Do you understand  
16 that?

17 MS. TRAMONTANO: Yes, I do.

18 MR. FOLIO: And this also applies to questions posed by  
19 congressional staff in an interview. Specifically, 18 USC  
20 Section 1001 makes it a crime to make any materially false  
21 or fictitious or fraudulent statement or representation in  
22 the course of a congressional interview. So this statute  
23 applies to your statements in this interview. Do you  
24 understand that?

25 MS. TRAMONTANO: Yes, I do.

1 MR. FOLIO: Ms. Tramontano, is there any reason you are  
2 unable to provide truthful answers to today's questions?

3 MS. TRAMONTANO: There is no reason.

4 MR. FOLIO: And finally, we'll ask that you not speak  
5 about what we discuss in this interview with anyone else  
6 outside of who's here in the virtual room today in order to  
7 preserve the integrity of our investigation. We also ask  
8 that you not remove any exhibits or committee documents from  
9 the interview as we previously discussed with your counsel.  
10 Do you understand and agree?

11 MS. TRAMONTANO: Yes, I do, and I agree.

12 MR. FOLIO: Ms. Tramontano, any questions before we  
13 begin the Majority's--

14 MS. TRAMONTANO: No, I have no questions.

15 MR. FOLIO: Ms. Tramontano, what is your position at  
16 Blue Star Strategies?

17 MS. TRAMONTANO: I'm the CEO.

18 MR. FOLIO: And for how long have you been the CEO at  
19 Blue Star Strategies?

20 MS. TRAMONTANO: Since the firm's inception, which  
21 would have been, I think, November 2009.

22 MR. FOLIO: And what are your roles and  
23 responsibilities as CEO?

24 MS. TRAMONTANO: Well, with--so I'm the co-founder so--  
25 with Sally Painter. So we, you know, run the firm, solicit

1 business, perform day-to-day services for our clients,  
2 manage staff--

3 MR. FOLIO: How would you describe--

4 MS. TRAMONTANO: --and the accounts.

5 MR. FOLIO: How would you describe the--

6 MS. TRAMONTANO: Could you say that again?

7 MR. FOLIO: --firm, Blue Star Strategies? What kind of  
8 firm is Blue Star Strategies?

9 MS. TRAMONTANO: We're a government and--government  
10 affairs and public affairs firm.

11 MR. FOLIO: How many employees do you have?

12 MS. TRAMONTANO: Currently--I have to count. Let's  
13 see. So not counting myself and Sally Painter because we're  
14 not employees of the firm--we own it. So it's five--six.  
15 We've lost a couple of people during COVID. So I think,  
16 yeah, six, I think.

17 MR. FOLIO: And since your firm opened in 2009, is  
18 around six employees about the usual size of the firm?

19 MS. TRAMONTANO: No. We've had--we've had more. I  
20 think we've had eight. Maybe the highest was probably eight  
21 employees.

22 MR. FOLIO: What is Sally Painter--

23 MS. TRAMONTANO: We're down to--

24 MR. FOLIO: Sorry. I'm not following my own advice and  
25 letting you complete.

1 MS. TRAMONTANO: No, no. I said we're down two  
2 employees right now, and one of our employees is going on to  
3 get an advanced degree. So we're a little low in our staff  
4 level right now.

5 MR. FOLIO: What is Sally Painter's position at Blue  
6 Star Strategies?

7 MS. TRAMONTANO: She's the COO.

8 MR. FOLIO: And how long has she been in that position?

9 MS. TRAMONTANO: We founded the firm together, so same  
10 amount of time.

11 MR. FOLIO: And what are Ms. Painter's roles and  
12 responsibilities at the firm?

13 MS. TRAMONTANO: She has more of the human resources  
14 roles than I do. She's more responsible for the day-to-day  
15 management of the staff overall, but otherwise, we, you  
16 know, have similar functions with regard to, you know,  
17 clients and business development. I probably have more of  
18 the financial responsibilities of the firm, overseeing our  
19 temporary CFO, but other ways, our functions are pretty,  
20 pretty similar, I would say.

21 MR. FOLIO: When did Burisma Holdings become a client  
22 of Blue Star Strategies?

23 MS. TRAMONTANO: In November of 2015.

24 MR. FOLIO: What did you know about Burisma before you  
25 considered taking them as a client in November of 2015?

1 MS. TRAMONTANO: Well, we knew that they were one of  
2 the larger providers of energy for Ukraine. We knew the--  
3 you know, the sort of just generally what some of the  
4 concern--the concerns that they had about allegations that  
5 were being made about the company.

6 We had researched some of the, you know, the board  
7 members. I don't know what--you know, I can't recall now  
8 what else we did, but we did basic research about the  
9 company and had several conversations with their  
10 representative.

11 MR. FOLIO: What were the concerns that they had about  
12 allegations against the company?

13 MS. TRAMONTANO: They were concerned about the  
14 allegations that Ambassador Pyatt had made about the  
15 company, and they were concerned about the  
16 mischaracterization of the decision by a UK court that  
17 Ambassador Pyatt had made.

18 MR. FOLIO: And when did Ambassador Pyatt make those  
19 allegations?

20 MS. TRAMONTANO: I'm not 100 percent certain of the  
21 time frame. It was in 2015, maybe, you know, August or  
22 September. I'm not--although I'm not 100 percent sure.

23 MR. FOLIO: And what were the specific allegations that  
24 concerned the company?

25 MS. TRAMONTANO: Could--your last--your words were a

1 little muffled, Mr. Folio. Could you just say what you said  
2 again?

3 MR. FOLIO: Of course. What were the specific concerns  
4 that the company--or I'm sorry--the specific allegations  
5 that concerned the company?

6 MS. TRAMONTANO: Well, they were concerned that  
7 Ambassador Pyatt had singled the company out as a corrupt  
8 company and that Ambassador Pyatt had either stated or  
9 alleged that the decision in the UK court was not valid.

10 MR. FOLIO: And what was the UK court decision about?

11 MS. TRAMONTANO: Well, to the best of my recollection,  
12 I can tell you generally. There was an allegation that  
13 money had been--money that had been received through  
14 licenses, energy licenses, had been--had been laundered.  
15 That's generally what the allegations in the court case  
16 were.

17 MR. FOLIO: Were those allegations against the company?

18 MS. TRAMONTANO: I believe they were against the  
19 company's shareholder.

20 MR. FOLIO: And who is that?

21 MS. TRAMONTANO: His name is Mykola Zlochevsky.

22 MR. FOLIO: So they were not against the company. They  
23 were against Mr. Zlochevsky?

24 MS. TRAMONTANO: You know, I'm not 100 percent sure.  
25 It may have, you know, implied--or imputed the same, you

1 know, allegations of corruption with regard to the company  
2 as well.

3 MR. FOLIO: You also said that prior to taking Blue  
4 Star as a client in November 2015, you researched its board  
5 members. What research did you conduct about the board  
6 members?

7 MS. TRAMONTANO: Well, the former president of Poland,  
8 Mr. Kwasniewski, is, you know, someone we knew because of  
9 our NATO work, and so we--you know, we just did some general  
10 research to see, you know, who the chairperson was and the  
11 fact that Kwasniewski was on the board and, you know,  
12 learned at that time that Mr. Biden and Mr. Archer were on  
13 the board.

14 MR. FOLIO: And when you say you learned at that time,  
15 when was that time?

16 MS. TRAMONTANO: My recollection is that it was the  
17 fall of 2015.

18 MR. FOLIO: So when you learned this, were you in the  
19 process of considering entering into a representation for  
20 Burisma?

21 MS. TRAMONTANO: Yeah, the company had been introduced  
22 to us, and we had done some research about the company.

23 MR. FOLIO: Who introduced the company to you?

24 MS. TRAMONTANO: Devon Archer.

25 MR. FOLIO: And who is Devon Archer?

1 MS. TRAMONTANO: Well, Devon Archer at the time was a  
2 member of the board. I didn't know Devon before that.

3 MR. FOLIO: And how did Mr. Archer identify your firm  
4 as a possible firm to represent Burisma?

5 MS. TRAMONTANO: Devon Archer was introduced to us by  
6 Eric Schwerin.

7 MR. FOLIO: And who is Eric Schwerin?

8 MS. TRAMONTANO: Eric Schwerin is someone I knew from  
9 my days in the Clinton White House.

10 MR. FOLIO: And at the time that Mr. Schwerin  
11 introduced you to Mr. Archer, where did Mr. Schwerin work?

12 MS. TRAMONTANO: You know, I don't know at the time  
13 where Eric worked.

14 MR. FOLIO: Do you know generally around that time what  
15 Eric was doing?

16 MS. TRAMONTANO: No, I don't know specifically what he  
17 was doing.

18 MR. FOLIO: Is he an attorney?

19 MS. TRAMONTANO: Not to my knowledge.

20 MR. FOLIO: So what was the context in which Eric  
21 introduced you to Mr. Archer? Was it a professional  
22 relationship that you had with Eric that led to this?

23 MS. TRAMONTANO: Yeah, Eric had introduced Devon to us  
24 because Devon had questions about a bank that he was--I  
25 don't know, he was about to do business with, and Eric asked

1 if we knew the bank.

2 MR. FOLIO: And what bank was that?

3 MS. TRAMONTANO: The bank is called Norvik Bank.

4 MR. FOLIO: And Mr. Archer's interest in Norvik Bank,  
5 was that related to his position on the board of Burisma?

6 MS. TRAMONTANO: It was not.

7 MR. FOLIO: To what was it related?

8 MS. TRAMONTANO: It wasn't related to anything in  
9 particular. Eric just introduced us to Devon, and Devon had  
10 a question about whether we knew Norvik Bank.

11 MR. FOLIO: And when did Mr. Schwerin introduce you to  
12 Mr. Archer?

13 MS. TRAMONTANO: As I said, the best of my recollection  
14 was it was the fall of 2015. It could have been the late  
15 summer of 2015. That's the best of my recollection.

16 MR. FOLIO: So you said the first--the basis for the  
17 introduction was Mr. Archer's an about Norvik Bank, but when  
18 did--

19 MS. TRAMONTANO: That's correct.

20 MR. FOLIO: --Mr. Archer raise Burisma with you?

21 MS. TRAMONTANO: It was after the conversation about  
22 Norvik Bank, sometime after that.

23 MR. FOLIO: So it was a separate conversation?

24 MS. TRAMONTANO: It was a separate conversation, yes.

25 MR. FOLIO: Okay. And can you please describe for us

1 the conversation you had with Mr. Archer when he first  
2 raised Burisma to you?

3 MS. TRAMONTANO: Well, I really--I don't recall the  
4 specifics of the conversation. I mean, it was several years  
5 ago. So I don't really recall the specifics.

6 MR. FOLIO: Why did he want to talk to you about  
7 Burisma?

8 MS. TRAMONTANO: You know, I think, you know, he--he  
9 thought we could be helpful to Burisma and, you know, talk  
10 to them about the concerns that they had.

11 MR. FOLIO: So when he spoke with you, did he raise the  
12 company's concerns, the basis for you possibly representing  
13 them?

14 MS. TRAMONTANO: I don't recall that specifically. I  
15 think it was a much more general conversation.

16 MR. FOLIO: What types of services did Mr. Archer think  
17 that you could possibly offer Burisma?

18 MR. KADZIK: If you know, if you can speculate as to  
19 what he was concerned with.

20 MR. FOLIO: I'm sorry. Do not speculate. Just in the  
21 course of your conversation, I'm assuming Mr. Archer came to  
22 you and had a reason why or thoughts why your firm would be  
23 interested in representing Burisma. And so the question is:  
24 What did Mr. Archer tell you that he thought your firm could  
25 provide to Burisma?

1 MS. TRAMONTANO: I don't recall the specifics of the  
2 conversation, like what he said and what we said. You know,  
3 we had conversations. In the course of those conversations,  
4 we talked to Devon about the work that we had done in a  
5 number of countries, and we probably--you know, I don't want  
6 to speculate, so I can't say what it was that he thought  
7 that we could do. Just I don't have a specific recollection  
8 of that conversation other than he came to know our work and  
9 wanted to introduce us to Burisma.

10 MR. FOLIO: I thought in one of your prior answers, but  
11 please correct me if I'm wrong, you said that you thought  
12 that you could talk to the company about their concerns.  
13 Were those the same concerns that we discussed before, the  
14 company's concerns about allegations that had been raised  
15 against it?

16 MS. TRAMONTANO: Yes, I mean, we're--I'm struggling  
17 here as I do not have a specific recollection of the words  
18 that, you know, were--the specific words that, you know,  
19 Devon said in a conversation with regard to Burisma. I  
20 learned of the company's specific concerns with regard to  
21 statements Ambassador Pyatt had made through the company's  
22 representative, not through Devon.

23 MR. FOLIO: Okay.

24 MS. TRAMONTANO: So to the extent my statement was  
25 somewhat muddled, I--you know, I didn't learn of those

1 concerns from Devon, to the best of my recollection.

2 MR. FOLIO: And who is the company representative from  
3 whom you learned about those concerns?

4 MS. TRAMONTANO: Vadym Pozharskiy.

5 MR. FOLIO: When you met Mr. Archer, when did you learn  
6 that he served on the board of Burisma?

7 MS. TRAMONTANO: I don't believe it was in the first--  
8 you know, when Devon came--and I'm not even sure that this  
9 was a meeting. It may have been a phone call. I don't have  
10 a present recollection as to whether it was a meeting or a  
11 phone call. You know, his--the first conversation or  
12 conversations we had with Devon were about Norvik Bank. I  
13 don't believe in those conversations we talked about Burisma  
14 or he said he was on the board of Burisma. My recollection  
15 is that was a subsequent conversation.

16 MR. FOLIO: Was that the subsequent conversation then  
17 about Burisma?

18 MS. TRAMONTANO: Yeah, my recollection is that it was a  
19 subsequent conversation about Burisma.

20 MR. FOLIO: So Mr. Archer, was he speaking with you  
21 about Burisma in his capacity as a board member of Burisma?

22 MS. TRAMONTANO: I have no way of knowing in what  
23 capacity he was talking--he was talking to me. I mean, you  
24 know, it was a conversation.

25 MR. FOLIO: But during that conversation, he made known

1 to you or you were otherwise aware that he was a board  
2 member of Burisma?

3 MS. TRAMONTANO: Yes.

4 MR. FOLIO: During that conversation did he mention  
5 Hunter Biden?

6 MS. TRAMONTANO: He did not.

7 MR. FOLIO: When he raised Burisma with you at that  
8 time, did you know whether Hunter Biden also served on the  
9 board of Burisma?

10 MS. TRAMONTANO: I don't believe I did.

11 MR. FOLIO: When did you first learn that Hunter Biden  
12 served on the board of Burisma?

13 MS. TRAMONTANO: You know, I honestly do not recall. I  
14 don't know if it was in, you know, another conversation or,  
15 you know, when we did our own research it came up. But I  
16 honestly don't recall.

17 MR. FOLIO: So I just want to put a pin in it for one  
18 second, and I'd just like to ask some questions about your  
19 knowledge of Burisma prior to this introduction to Mr.  
20 Archer. So before Mr. Archer raised with you the  
21 possibility of you representing Burisma, did you know about  
22 Burisma?

23 MS. TRAMONTANO: I did not.

24 MR. FOLIO: You said they were a major gas company in  
25 Ukraine, but you didn't know anything about them?

1 MS. TRAMONTANO: No, not to the best of my, you know,  
2 recollection. I didn't know anything about them.

3 MR. FOLIO: But--

4 MS. TRAMONTANO: We hadn't worked in Ukraine for a  
5 while.

6 MR. FOLIO: And approximately how long had you not  
7 worked in Ukraine by this point in the fall of 2015?

8 MS. TRAMONTANO: We did not work in Ukraine for the  
9 years that Yanukovich was in power. We had worked in  
10 Ukraine when Viktor Yushchenko was President, and we did  
11 not--we did not do work in Ukraine when Yanukovich was in  
12 power.

13 MR. FOLIO: So when Mr. Archer approached you about  
14 possibly representing Burisma, did you discuss it with your  
15 colleagues at Blue Star?

16 MS. TRAMONTANO: I discussed it with Sally, yeah. And,  
17 actually, I should say Sally and I discussed it, and it may  
18 have been a phone call that Sally and I had with Archer. I  
19 don't have a present recollection of that, whether it was,  
20 you know, a joint call with Archer, but I--so I just--I  
21 don't recall. But certainly Sally and I would have  
22 discussed it.

23 MR. FOLIO: When the idea of representing Burisma came  
24 up, when you raised it with Sally and anyone else at your  
25 firm, did Ms. Painter express any prior knowledge of

1 Burisma?

2 MS. TRAMONTANO: Not that I recall.

3 MR. FOLIO: Do you know if anyone else at Blue Star had  
4 any prior knowledge of Burisma at this point in time?

5 MS. TRAMONTANO: No, not that I recall.

6 MR. FOLIO: So when Mr. Archer first raised the idea of  
7 Blue Star possibly representing Burisma, how did you  
8 respond?

9 MS. TRAMONTANO: You know, I don't--I don't really  
10 recall. I don't--what I recall is that we had a  
11 conversation, subsequent conversation with Vadym and Archer  
12 and myself and Sally. And that's--you know, that's what I  
13 recall.

14 MR. FOLIO: Just so I understand, the initial  
15 conversation you had with Mr. Archer about Burisma, after  
16 that you recall a conversation that involved yourself, Ms.  
17 Painter, Vadym, and the company, and Mr. Archer. Is that  
18 correct?

19 MS. TRAMONTANO: Yes, that's correct.

20 MR. FOLIO: So when you first spoke with Mr. Archer,  
21 was anyone else present at that conversation other than you  
22 and Mr. Archer--I'm sorry. When you first spoke with Mr.  
23 Archer about Burisma, was anyone else present at that  
24 conversation other than you and Mr. Archer?

25 MS. TRAMONTANO: As I just said, I believe Sally

1 Painter was present or was part of that conversation.

2 MR. FOLIO: She was part of that first conversation  
3 when Mr. Archer raised Burisma?

4 MS. TRAMONTANO: I believe she was, yes.

5 MR. FOLIO: Okay. And did Mr. Archer include Vadym  
6 from the company in that first conversation about Burisma?

7 MS. TRAMONTANO: No--well, let me--I'm getting confused  
8 right now, so let me just try to be clear. To the best of  
9 my recollection, there was conversation with Devon Archer  
10 about Norvik Bank. You know, there may have been a couple  
11 of conversations about Norvik Bank. I don't recall. But  
12 there was at least one conversation about Norvik Bank.

13 Subsequent to those conversations, Devon Archer had a  
14 conversation with me and Sally about Burisma. I don't  
15 remember the specifics of that conversation. You know,  
16 generally it was, you know, he thought, you know, we could  
17 help Burisma in some way. I don't remember any specifics  
18 being discussed at the time.

19 Subsequent to that conversation, there was a  
20 conversation with Sally, Devon Archer, Vadym Pozharskiy, and  
21 myself.

22 MR. FOLIO: Okay.

23 MS. TRAMONTANO: I mean, to the best of my  
24 recollection, that's--

25 MR. FOLIO: No, that was a helpful clarification. Were

1 there any other meetings that you had with Mr. Archer after  
2 that but before you signed the November 2015 agreement to  
3 represent Burisma?

4 MS. TRAMONTANO: We had several conversations with  
5 Vadym before we entered into an engagement. I do not recall  
6 whether Mr. Archer was in those calls or not. He may have  
7 been. I just simply do not recall at this time. But I do  
8 know we had more than--or at least my memory is we had more  
9 than one conversation with the representative of Burisma.

10 MR. FOLIO: So focusing on this time period between Mr.  
11 Archer first raising Burisma and November 2015 when Blue  
12 Star officially signs the agreement to represent Burisma,  
13 did you have conversations with any other board members, to  
14 include Hunter Biden, about the firm potentially  
15 representing Burisma?

16 MS. TRAMONTANO: I did not.

17 MR. FOLIO: Did you have any conversations with Eric  
18 Schwerin about the decision to represent Burisma?

19 MS. TRAMONTANO: Not that I recall.

20 MR. FOLIO: Did Blue Star perform any due diligence  
21 before deciding to represent Burisma?

22 MS. TRAMONTANO: You know, we did our standard, you  
23 know, background research, you know, of public sources of  
24 information.

25 MR. FOLIO: And, again, focusing on the time period

1 when you were deciding whether or not the company would  
2 represent Burisma, did you speak with any current U.S.  
3 officials about the company before deciding to represent it?

4 MS. TRAMONTANO: You know, I don't--I don't remember.  
5 I don't remember if we had. I mean, on some occasions we  
6 have done that with clients, but I do not remember. I do  
7 not recall talking to any current officials at the time.

8 MR. FOLIO: Did you speak with any former U.S.  
9 officials as you were contemplating representing Burisma?

10 MS. TRAMONTANO: No. I don't recall whether we had.  
11 We could have. I mean, we knew all the former U.S.  
12 ambassadors, so we certainly could have, but I do not recall  
13 specifically.

14 MR. FOLIO: During the due diligence process, did you  
15 all have any concerns about the company's involvement in  
16 corruption, when deciding to make a representation?

17 MS. TRAMONTANO: What I recall about our research at  
18 the time is there was a lot of information out there, some  
19 good, some--you know, some questions, some challenges  
20 raised. You know, there was just, you know, a lot of  
21 information. And, you know, we looked through, you know,  
22 all of the information at the time that it was available,  
23 again, from public sources.

24 MR. FOLIO: When you were deciding to represent--  
25 whether or not Blue Star would represent Burisma, did you

1 meet with Mr. Mykola Zlochevsky?

2 MS. TRAMONTANO: I did not.

3 MR. FOLIO: Did you meet with any other, or any Burisma  
4 official other than Mr. Archer or Vadym, when you deciding  
5 whether or not Blue Star would represent Burisma?

6 MS. TRAMONTANO: We met with no other individuals.

7 MR. FOLIO: Now just expanding the time frame, not  
8 focusing on this decision period, I'd just like to  
9 understand more generally. Did you ever speak with Vice  
10 President Biden about Burisma?

11 MS. TRAMONTANO: I never spoke with Vice President  
12 Biden about Burisma.

13 MR. FOLIO: Did you ever speak with anyone on Vice  
14 President Biden's staff about Burisma?

15 MS. TRAMONTANO: I did not speak with anyone at Vice  
16 President Biden's staff about Burisma.

17 MR. FOLIO: Did you ever visit Vice President Biden's  
18 residence at the Naval Observatory?

19 MS. TRAMONTANO: On one occasion I did. It was a  
20 holiday party.

21 MR. FOLIO: And when was that?

22 MS. TRAMONTANO: I don't recall.

23 MR. FOLIO: At the holiday party at the Vice  
24 President's residence, did you discuss Burisma with anyone?

25 MS. TRAMONTANO: I did not.

1 MR. FOLIO: Mr. Zlochevsky?

2 MS. TRAMONTANO: I did not.

3 MR. FOLIO: What were Devon Archer's responsibilities  
4 on Burisma's board?

5 MS. TRAMONTANO: I don't know.

6 MR. FOLIO: How much was Mr. Archer compensated for his  
7 service as a board member?

8 MS. TRAMONTANO: I do not know.

9 MR. FOLIO: What were Hunter Biden's responsibilities  
10 on Burisma's board?

11 MS. TRAMONTANO: I do not know.

12 MR. FOLIO: Do you know Hunter Biden?

13 MS. TRAMONTANO: I do.

14 MR. FOLIO: Have you met him?

15 MS. TRAMONTANO: I have met him on a couple of  
16 occasions, yes.

17 MR. FOLIO: When did you first meet him?

18 MS. TRAMONTANO: I don't remember when I first met him.  
19 I recall Hunter had hosted a book signing party for a former  
20 business partner of mine, and I attended the book party.  
21 That was probably a decade ago, and that may have been the  
22 first time.

23 MR. FOLIO: How would you describe your relationship  
24 with Hunter Biden prior to Blue Star's decision to represent  
25 Burisma?

1 MS. TRAMONTANO: Well, I guess an acquaintance.

2 MR. FOLIO: Approximately how many times have you met  
3 or spoken with Hunter Biden before Blue Star decided to  
4 represent Burisma?

5 MS. TRAMONTANO: So there was this occasion of the book  
6 party. I believe I saw him at an NDI reception, a luncheon.

7 MR. FOLIO: And when was that?

8 MS. TRAMONTANO: You know, I don't recall. I believe  
9 it was before 2015, but I can't be certain. And I don't  
10 think it was--I don't recall any other occasion before 2015.

11 MR. FOLIO: Before Blue Star agreed to represent  
12 Burisma, did you ever discuss Hunter Biden's role on  
13 Burisma's board with anyone?

14 MS. TRAMONTANO: No, I did not.

15 MR. FOLIO: Was it a topic of discussion internally  
16 within Blue Star as you were deciding whether or not to  
17 represent Burisma?

18 MS. TRAMONTANO: No, not that I recall.

19 MR. FOLIO: How much was Hunter Biden compensated to  
20 serve on the board of Burisma?

21 MS. TRAMONTANO: I do not have any idea.

22 MR. FOLIO: At this point in time, Ms. Tramontano, I'm  
23 going to turn the questions over to Josh Flynn-Brown from  
24 Chairman Grassley's office.

25 MR. FLYNN-BROWN: Hi, Ms. Tramontano. Can you hear me

1 okay?

2 MS. TRAMONTANO: Yes, I can.

3 MR. FLYNN-BROWN: Great. Thank you for your time  
4 today. So would you agree that the U.S. Government viewed  
5 Burisma as a corrupt company?

6 MS. TRAMONTANO: I do not know what the U.S. Government  
7 view of Burisma was.

8 MR. FLYNN-BROWN: Would you agree that Burisma has a  
9 reputation for engaging in corrupt activity?

10 MS. TRAMONTANO: I would not agree with that statement.

11 MR. FLYNN-BROWN: Are you aware of whether or not the  
12 U.S. Government viewed Zlochevsky as a corrupt person?

13 MS. TRAMONTANO: I do not know what the U.S.  
14 Government's view is.

15 MR. FLYNN-BROWN: Do you agree that he has a reputation  
16 for engaging in corrupt activity?

17 MS. TRAMONTANO: I can't comment on what somebody's  
18 view of somebody else is.

19 MR. FLYNN-BROWN: The question is, would you agree,  
20 what is your opinion that he did have a reputation for  
21 engaging in corrupt activity?

22 MS. TRAMONTANO: I think he has a reputation, by some  
23 people, of being corrupt and other people of not being  
24 corrupt, so, you know, I really can't comment on that.

25 MR. FLYNN-BROWN: Have you ever met Mr. Zlochevsky?

1 MS. TRAMONTANO: I have met him, yes.

2 MR. FLYNN-BROWN: When did you meet him?

3 MS. TRAMONTANO: Could you say that again? I didn't  
4 quite hear you.

5 MR. FLYNN-BROWN: And when did you meet him?

6 MS. TRAMONTANO: I think, let's see, I first met him in  
7 2016, maybe February. I'm not sure exactly the date, but--

8 MR. FLYNN-BROWN: Was that the only time that you met  
9 him in person?

10 MS. TRAMONTANO: Well, I met him on two other occasions  
11 at the conference in Monaco.

12 MR. FLYNN-BROWN: And when was that?

13 MS. TRAMONTANO: It would have been twenty--maybe '18  
14 and '19?

15 MR. FLYNN-BROWN: So when you met him on those three  
16 occasions, was that--were those meetings a part of your  
17 representation of Burisma?

18 MS. TRAMONTANO: No. I wouldn't say so. He doesn't  
19 speak English, and I speak neither Russian nor Ukrainian, so  
20 I would not describe that as part of the representation.

21 MR. FLYNN-BROWN: So what did you discuss then at these  
22 meetings, if anything?

23 MS. TRAMONTANO: Well, the two meetings in Monaco  
24 always take place on my birthday, and he said "happy  
25 birthday." That was about it. And the other meeting that

1 we had, which was to introduce John Buretta to him.

2 MR. FLYNN-BROWN: So the meeting in February 2016 was  
3 to introduce John Buretta?

4 MS. TRAMONTANO: Yeah, to the best of my recollection  
5 that was the time frame. I mean, it may have been January.  
6 I'm not 100 percent sure, but it was around that time  
7 period.

8 MR. FLYNN-BROWN: Do you recall who else was in that  
9 meeting?

10 MS. TRAMONTANO: Vadym was in that meeting, Pozharskiy,  
11 and I don't recall if anybody else was in that meeting.

12 MR. FLYNN-BROWN: At no point in those meetings did the  
13 name Hunter Biden come up. Is that correct?

14 MS. TRAMONTANO: No. Hunter Biden's name did not come  
15 up in any of those meetings.

16 MR. FLYNN-BROWN: I had a bad audio feed there. Can  
17 you restate your answer for me?

18 MS. TRAMONTANO: Yes. I'm sorry. I said Hunter  
19 Biden's name did not come up in any of those meetings.

20 MR. FLYNN-BROWN: Are you aware of whether or not  
21 Zlochevsky bribed government officials?

22 MS. TRAMONTANO: I have no knowledge of that.

23 MR. FLYNN-BROWN: Are you aware of reporting that while  
24 Zlochevsky was ecology minister, he issued licenses to oil  
25 and gas companies--

1 MS. TRAMONTANO: I'm sorry. Your audio went out.

2 MR. FLYNN-BROWN: I'll restate the question in full.

3 Are you aware of reporting that while Zlochevsky was ecology  
4 minister, he issued licenses to oil and gas companies that  
5 belonged to him?

6 MS. TRAMONTANO: I am aware of that reporting.

7 MR. FLYNN-BROWN: And you were aware of that reporting  
8 prior to your representation of Burisma or after?

9 MS. TRAMONTANO: After.

10 MR. FLYNN-BROWN: So while you were representing them  
11 you became aware of that reporting.

12 MS. TRAMONTANO: To the best of my knowledge, yes.

13 MR. FLYNN-BROWN: So regarding Zlochevsky, were you  
14 aware of any of his other companies other than Burisma?

15 MS. TRAMONTANO: No. I was not aware of his other  
16 companies.

17 MR. FLYNN-BROWN: Will, can we pull Tab 47? I believe  
18 this would be Exhibit 1.

19 [Tramontano Exhibit No. 1 was  
20 marked for identification.]

21 MR. FLYNN-BROWN: Ms. Tramontano, we're going to put it  
22 up on the screen. This is the consulting agreement between  
23 Blue Star and Burisma. I am only going to ask you questions  
24 relating to the services, but if you would like to review  
25 the document in full please take your time and let me know

1 when you're ready.

2 [Pause.]

3 MS. TRAMONTANO: Okay.

4 MR. FLYNN-BROWN: So on page 1 of your consulting  
5 services agreement it provides the services as follows:

6 "Provide government relations assistance to the client in  
7 the U.S. and Ukraine." Did you provide government relations  
8 assistance in the United States?

9 MS. TRAMONTANO: We did.

10 MR. FLYNN-BROWN: And what kind of government relations  
11 assistance did you provide?

12 MS. TRAMONTANO: Our initial remit was to find out why  
13 Ambassador Pyatt said--made the statements that he made in  
14 2015, and those included his allegations about Burisma and  
15 his statements about the Ukraine court decision. And we  
16 were asked if we could find out whether the State  
17 Department's position, stated in another way, whether  
18 Ambassador Pyatt's position reflected the Department of  
19 State's position.

20 MR. FLYNN-BROWN: What exactly was Ambassador Pyatt's  
21 position at the time?

22 MS. TRAMONTANO: Well, as I understand it, Ambassador  
23 Pyatt called out Burisma as a corrupt company.

24 MR. FLYNN-BROWN: Did Ambassador Pyatt give you details  
25 as to why he concluded that Burisma was a corrupt company?

1 MS. TRAMONTANO: He did not.

2 MR. FLYNN-BROWN: Did you ever ask him?

3 MS. TRAMONTANO: I did.

4 MR. FLYNN-BROWN: What did he say?

5 MS. TRAMONTANO: He didn't want to talk about it.

6 MR. FLYNN-BROWN: So is it accurate then that you did  
7 have awareness with respect to Burisma's reputation for  
8 corruption?

9 MS. TRAMONTANO: I had awareness that there were  
10 reports about Burisma.

11 MR. FLYNN-BROWN: And those reports related to  
12 corruption. Is that correct?

13 MS. TRAMONTANO: Those reports covered a range of  
14 allegations and a range of stories. So--

15 MR. FLYNN-BROWN: Which included corruption. Is that  
16 correct?

17 MS. TRAMONTANO: There were stories that alleged  
18 corruption, yes.

19 MR. FLYNN-BROWN: What was the intended outcome of your  
20 government relations assistance? In other words, what were  
21 you hoping to achieve for Burisma in the United States?

22 MS. TRAMONTANO: We were trying to understand the  
23 factual basis for Ambassador Pyatt's statements. We were  
24 trying to understand whether Ambassador Pyatt's position of  
25 the company reflected the State Department's position of the

1 company, about the company.

2 MR. FLYNN-BROWN: Were you able to get an answer on  
3 that? In other words, were you able to determine whether or  
4 not the State Department's position with respect to Burisma  
5 was the same as Ambassador Pyatt's?

6 MS. TRAMONTANO: We were not.

7 MR. FLYNN-BROWN: Other than Ambassador Pyatt, did you  
8 meet with any U.S. Government officials on behalf of  
9 Burisma?

10 MS. TRAMONTANO: Yes, we did.

11 MR. FLYNN-BROWN: And who did you meet with?

12 MS. TRAMONTANO: We met with Amos Hochstein, I believe  
13 in December 2015, and we met with Cathy Novelli in March, I  
14 believe, of 2016. Do you want me to go through the meetings  
15 for the last five years, or is there a particular meeting  
16 that you want to ask me about?

17 MR. FLYNN-BROWN: I think we can get into that later  
18 regarding that. Are the extent of the names?

19 MS. TRAMONTANO: No. I mean, we provided the Committee  
20 with information about all of our meetings from 2015 to, you  
21 know, 2019.

22 MR. FLYNN-BROWN: During the course of those meetings,  
23 or the run-up to those meetings, did you provide to those  
24 government officials any written materials, documents, white  
25 papers, or other informational materials to any of those

1 officials?

2 MS. TRAMONTANO: Just for clarity, are you talking  
3 about the meetings from 2015 to 2019? Because in some--

4 MR. FLYNN-BROWN: Let me clarify. Yes.

5 MS. TRAMONTANO: --cases, we have.

6 MR. FLYNN-BROWN: Yes. Fair question. Let me clarify.  
7 So during the course of your representation of Burisma, when  
8 you met with U.S. Government officials, did you provide them  
9 any written materials, documents, white papers, or other  
10 informational materials regarding Burisma?

11 MS. TRAMONTANO: We may have, and if we did we  
12 submitted it to the Committee. But short of, you know,  
13 going through the documents we submitted to the Committee I  
14 wouldn't have a recollection of that. But if we had  
15 submitted something it would have been submitted to the  
16 Committee if we had it.

17 MR. FLYNN-BROWN: Did you provide government relations  
18 assistance within Ukraine for Burisma?

19 MS. TRAMONTANO: I'm sorry. Could you just repeat  
20 that? It just got muddled at the end.

21 MR. FLYNN-BROWN: Sure. I'll restate the question in  
22 full. Did you provide government relations assistance for  
23 Burisma within Ukraine?

24 MS. TRAMONTANO: We had meetings with government  
25 officials at the Office of the General Prosecutor in

1 Ukraine, yes.

2 MR. FLYNN-BROWN: Are you able to provide a list of the  
3 names of the Ukrainian officials that you met with?

4 MS. TRAMONTANO: We provided the names that we had to  
5 the Committee already.

6 MR. FLYNN-BROWN: I want to move to the next element of  
7 your consulting services agreement. It's the Services  
8 section, and I'll state it here. I'll quote it here for  
9 you. "Communicate to officials about the client's business  
10 and its economic importance to Ukraine." Do you see that  
11 part?

12 MS. TRAMONTANO: It's not on the screen yet, but I'm  
13 sure it will be.

14 MR. FLYNN-BROWN: It should be up on the screen. It  
15 should be the second bullet.

16 MS. TRAMONTANO: Yes, I see it now. It just came up on  
17 the screen.

18 MR. FLYNN-BROWN: Great. So can you describe Burisma's  
19 economic importance to Ukraine?

20 MS. TRAMONTANO: Sure. As one of the largest privately  
21 held energy companies, Burisma's importance is directly  
22 related to Ukraine's energy self-sufficiency.

23 MR. FLYNN-BROWN: What kind of relationship did the  
24 Ukrainian government have with the natural gas sector?

25 MS. TRAMONTANO: You'd have to ask the Ukrainian

1 government about that.

2 MR. FLYNN-BROWN: Well, was the Ukrainian government  
3 supported by corruption and the natural gas and energy  
4 sector within Ukraine?

5 MS. TRAMONTANO: I can't answer that question. I have  
6 no knowledge to answer that question.

7 MR. FLYNN-BROWN: Were you aware of whether or not the  
8 Ukrainian government sought a role in the natural gas trade?

9 MS. TRAMONTANO: The Ukrainian--in Ukraine, there is a  
10 state-owned energy company, Naftogaz, and it provides energy  
11 to noncommercial, otherwise residential--it provides  
12 residential energy. That's what I understand.

13 MR. FLYNN-BROWN: What kind of relationship did Burisma  
14 have with the Ukrainian government?

15 MS. TRAMONTANO: With some ministries, it had a very  
16 good relationship.

17 MR. FLYNN-BROWN: And which ministries were those?

18 MS. TRAMONTANO: It had--with the finance ministry, it  
19 was a lot of back-and-forth about different taxing schemes  
20 and, you know, how best to manage, you know, the commercial  
21 energy sector, and I know Burisma--well, I know Vadym as a  
22 representative of Burisma had many productive conversations  
23 with the finance ministry, with that regard.

24 I don't know if its relationship with other ministries--  
25 -the energy ministry, I--at least my understanding was that

1 they--that the company had a productive relationship with  
2 the energy ministry.

3 MR. FLYNN-BROWN: So did Burisma's economic importance  
4 for success benefit the Ukrainian government?

5 MS. TRAMONTANO: I have no idea whether it benefitted  
6 the Ukrainian government. I know that energy self-  
7 sufficiency--so is a key issue for Ukraine. So being free  
8 of Russian dependence on energy is a key issue for Ukraine.

9 MR. FLYNN-BROWN: So did the Ukrainian government have  
10 a strong interest in the United States making a favorable  
11 position regarding Burisma?

12 MS. TRAMONTANO: I have--I have no knowledge of that.  
13 Cannot answer that question.

14 MR. FLYNN-BROWN: To your knowledge, did the Ukrainian  
15 government or any Ukrainian political party express concerns  
16 about Burisma's representation in the United States?

17 MS. TRAMONTANO: Not to my knowledge.

18 MR. FLYNN-BROWN: Do you know whether Burisma served as  
19 a vehicle to enrich Ukrainian government officials?

20 MS. TRAMONTANO: Not to my knowledge.

21 MR. FLYNN-BROWN: Would it surprise you if it did?

22 MS. TRAMONTANO: I am not going to--I have no comment  
23 on that question.

24 MR. FLYNN-BROWN: You just don't have the basis of  
25 knowledge for it, or you just don't want to answer it?

1 MS. TRAMONTANO: I don't have any basis for knowledge  
2 of--to answer that question.

3 MR. FLYNN-BROWN: Do you know whether Burisma served as  
4 a vehicle to enrich Ukrainian political parties?

5 MS. TRAMONTANO: I have no knowledge to answer that  
6 question.

7 MR. FLYNN-BROWN: Are you aware of whether or not  
8 Burisma or Zlochevsky took directions from the Ukrainian  
9 government?

10 MS. TRAMONTANO: I have no knowledge of that.

11 MR. FLYNN-BROWN: Are you aware of whether or not  
12 Burisma or Zlochevsky--excuse me--took directions from any  
13 Ukrainian government officials?

14 MS. TRAMONTANO: I have no knowledge of that.

15 MR. FLYNN-BROWN: Are you aware of whether or not  
16 Burisma or Zlochevsky took directions from any political  
17 parties?

18 MS. TRAMONTANO: I have no knowledge of that.

19 MR. FLYNN-BROWN: Would it surprise you if Burisma or  
20 Zlochevsky took directions from any government official or  
21 any political party?

22 MS. TRAMONTANO: I have no knowledge to answer that.

23 MR. FLYNN-BROWN: As part of your work for Burisma, did  
24 you work to foster ties between Ukraine and the United  
25 States?

1 MS. TRAMONTANO: No. That wasn't--that wasn't our  
2 scope of work.

3 MR. FLYNN-BROWN: Well, when meeting with U.S.  
4 government officials, did you intend to influence U.S.  
5 policy towards Burisma?

6 MS. TRAMONTANO: I did not.

7 MR. FLYNN-BROWN: You did not intend to influence U.S.  
8 policy towards Burisma?

9 MS. TRAMONTANO: I did not.

10 MR. FLYNN-BROWN: Did you ever employ former Ukrainian  
11 government officials for your work with Burisma?

12 MS. TRAMONTANO: It depends on--if you're talking  
13 specifically about Andrii Telizchenko as a former official,  
14 well, he was not in our employ. He was a contractor.  
15 That's what your--if that's what the question is directed  
16 to.

17 MR. FLYNN-BROWN: I'm not specifically asking about any  
18 individual.

19 MS. TRAMONTANO: Okay. Then the answer is no.

20 MR. FLYNN-BROWN: I'd like to now go to the next  
21 element in the services section within your consulting  
22 services agreement, just a few more questions here, and  
23 we'll wrap up this round.

24 MS. TRAMONTANO: Sure.

25 MR. FLYNN-BROWN: The third element here is prepare

1 brief written reports as requested by the client.

2 MS. TRAMONTANO: Okay.

3 MR. FLYNN-BROWN: Now, the previous prong, just to make  
4 clear, was communicate to officials about the client's  
5 business and its economic importance to Ukraine, and you did  
6 so, correct? You did that type of work?

7 MS. TRAMONTANO: There were meetings that communicated  
8 the economic importance to Ukraine of Burisma, yes.

9 MR. FLYNN-BROWN: Okay. Now let's move to that third  
10 prong. So prepare brief written reports as requested by the  
11 client. Did you in fact do so?

12 MS. TRAMONTANO: Whatever written reports that we would  
13 have provided were subject to the committee, but our general  
14 practice with the client was oral reports.

15 MR. FLYNN-BROWN: So did you create a lobbying plan for  
16 your Burisma work?

17 MS. TRAMONTANO: We didn't lobby the U.S. government.

18 MR. FLYNN-BROWN: So, you know, going back to one of  
19 your questions, if Blue Star was not trying to influence  
20 U.S. policy and State Department officials, then what were  
21 the purpose--what was the purpose of those meetings?

22 MS. TRAMONTANO: Well, I'll state what I have stated  
23 previously. The client wanted to know why Ambassador Pyatt  
24 made the statements that he made with regard to Burisma and  
25 with regard to the UK court decision, and the client wanted

1 to know whether Ambassador Pyatt's position reflected the  
2 U.S. State Department's position about the company.

3 MR. FLYNN-BROWN: I just want to be clear about your  
4 testimony here today, and your testimony is that Blue Star  
5 did not ever try to influence U.S. policy with respect to  
6 Ukraine?

7 MS. TRAMONTANO: In our representation of Burisma, we  
8 did not try to influence U.S. policy with respect to  
9 Ukraine.

10 MR. FLYNN-BROWN: Did you engage in any public  
11 relations activity for Burisma?

12 MS. TRAMONTANO: We did not.

13 MR. FLYNN-BROWN: So you never wrote any op-ed or--

14 MS. TRAMONTANO: I'll take--I'm sorry. Just for  
15 clarification, public relations just because people have  
16 different views of public relations, it is just I want to  
17 make sure that we're talking about the same thing. And you  
18 were going on to ask specific questions about op-eds?

19 MR. FLYNN-BROWN: Yes. I'm happy to provide you with  
20 clarity on that with respect to op-eds and contact with the  
21 media. Did you have--did you write any op-eds or have any  
22 contact with the media with respect to Burisma?

23 MS. TRAMONTANO: We did not.

24 MR. FLYNN-BROWN: Regarding your representation of the  
25 national interest of Ukraine, what kind of work did you do

1 for them?

2 MS. TRAMONTANO: We did--for--we did pro bono work,  
3 which consisted of delivering letters to Members of  
4 Congress, bipartisan Members of Congress, who had oversight  
5 or interest in the area of concern for the national interest  
6 of Ukraine Group.

7 MR. FLYNN-BROWN: So was that entity in any way, shape,  
8 or form supported by the Ukrainian government or Ukrainian  
9 political party or a Ukrainian government official?

10 MS. TRAMONTANO: Not to my knowledge.

11 MR. FLYNN-BROWN: And this was, you said, a nonprofit?

12 MS. TRAMONTANO: That was my--my understanding is, yes,  
13 that it was--it was an NGO.

14 MR. FLYNN-BROWN: And where was it registered?

15 MS. TRAMONTANO: In Ukraine. It was a Ukrainian NGO.

16 MR. FLYNN-BROWN: So other than your contacts with  
17 Congress, did you engage in any public relations activity  
18 for that entity, including but not limited to op-eds or  
19 contact with the media?

20 MS. TRAMONTANO: No, we did not.

21 MR. FLYNN-BROWN: So, at this point, I have finished my  
22 line of questioning for right now. I'm going to pass it  
23 back to Joe. Thank you. Ms. Tramontano.

24 MS. TRAMONTANO: Thank you.

25 MR. FOLIO: Ms. Tramontano, we've completed our

1 Majority questioning. So I'll turn it over to Zack Schram  
2 but ask if you would like to take a brief break before we do  
3 that.

4 MS. TRAMONTANO: Yeah. Actually, if I could have,  
5 like, a two-minute break, that would be great .

6 MR. FOLIO: That sounds good. Should we reconvene in  
7 three minutes?

8 MR. SCHRAM: Can we just say it's 11:33--it's 11:33  
9 now. Just to keep round numbers, can we say 11:40?

10 MR. FOLIO: Yes.

11 MR. SCHRAM: Thank you.

12 MR. FOLIO: Thank you.

13 [Recess.]

14 MR. SCHRAM: Ms. Tramontano, can you please just tell  
15 us a little bit about your career background prior to  
16 starting Blue Star Strategies?

17 MS. TRAMONTANO: Sure. Well, let's see. Immediately  
18 before Blue Star Strategies, I was a consultant to the  
19 Downey McGrath firm and also worked for the ILO Secretary  
20 General. Immediately before that, I ran President Clinton's  
21 transition up to New York and helped to start the foundation  
22 and his other philanthropic work. Before that I was Deputy  
23 Chief of Staff to President Clinton. Before that I was  
24 chief of staff to John Sweeney when he was president of the  
25 Service Employees International Union. Before that I was

1 chief of staff to the mayor of the District of Columbia.  
2 And before that I was a practicing trial attorney in the  
3 area of labor and civil and human rights.

4 MR. SCHRAM: Can you speak more about your  
5 responsibilities as Deputy Chief of Staff in the Clinton  
6 White House?

7 MS. TRAMONTANO: Sure. As Deputy Chief of Staff, you  
8 know, I had the role of the nexus between policy and  
9 politics and implementation--I mean politics with a small  
10 "p"--and my portfolio included all the economic agencies,  
11 including Energy, Treasury, Labor, Commerce, and I sat on  
12 the National Economic Council as well, and USTR.

13 MR. SCHRAM: What are some accomplishments from your  
14 time in the Clinton White House that you're proud of?

15 MS. TRAMONTANO: Well, one of the accomplishments was  
16 we actually got an ILO treaty to eliminate the worst forms  
17 of child labor.

18 MR. SCHRAM: Can you just clarify what ILO stands for?

19 MS. TRAMONTANO: Oh, sure. The ILO stands for--it's a  
20 tripartite international organization. It's one of the  
21 oldest international organizations in the UN system, and it  
22 has government labor organizations and employer  
23 organizations as its members. And the U.S. has not signed  
24 many of the treaties, and in the Clinton administration we  
25 worked hard to get a treaty signed and endorsed by--

1 bipartisan endorsement, bicameral, and it eliminates the  
2 worst forms--a commitment to eliminate the worst forms of  
3 child labor.

4 We did a lot of work in NATO expansion, which was then  
5 followed at the Bush administration, and, you know, we had a  
6 lot of economic successes as well.

7 MR. SCHRAM: And what is GFI?

8 MS. TRAMONTANO: GFI is the Global Fairness Initiative.  
9 It's a nonprofit that I founded. President Clinton was our  
10 first chair, and it focuses on eliminating poverty through  
11 policy changes and multi-stakeholder engagement.

12 MR. SCHRAM: I'd like to turn to the majority's purpose  
13 for your interview today. Ms. Tramontano, in the Chairmen's  
14 December 3, 2019, letter to you, they stated that the  
15 purpose of the investigation is to determine "whether  
16 certain officials within the Obama administration had actual  
17 or apparent conflicts of interest because of Hunter Biden's  
18 role in Rosemont Seneca and related entities or as a board  
19 member of Burisma Holdings."

20 In the same letter, Chairman Johnson stated, "Recent  
21 reports indicate that Blue Star Strategies sought to  
22 leverage Hunter Biden's membership on the board of directors  
23 for Burisma in its communications and meetings with various  
24 U.S. Government officials."

25 During the first hour, you mentioned meetings that you

1 had with several Obama administration officials. Did you  
2 use Hunter Biden's name to secure a meeting with Under  
3 Secretary of State Catherine Novelli?

4 MS. TRAMONTANO: I did not.

5 MR. SCHRAM: Did you use Hunter Biden's name to secure  
6 a meeting with Deputy Assistant Secretary Amos Hochstein?

7 MS. TRAMONTANO: I did not.

8 MR. SCHRAM: Did you use Hunter Biden's name to secure  
9 a meeting with Ambassador to Ukraine Geoffrey Pyatt?

10 MS. TRAMONTANO: I did not.

11 MR. SCHRAM: Did you or your firm use Hunter Biden's  
12 name to secure a meeting with any State Department official?

13 MS. TRAMONTANO: I did not and we did not.

14 MR. SCHRAM: Did you or your firm use Hunter Biden's  
15 name to secure a meeting with any Government official?

16 MS. TRAMONTANO: I did not; we did not.

17 MR. SCHRAM: Did you or your firm ever meet with Vice  
18 President Biden on behalf of Burisma?

19 MS. TRAMONTANO: I did not and the firm did not.

20 MR. SCHRAM: Did any of your meetings with any Obama  
21 administration officials on behalf of Burisma result in  
22 policy changes toward Ukraine?

23 MS. TRAMONTANO: It didn't--they did not.

24 MR. SCHRAM: Are you aware of any policy changes made  
25 in the Obama administration intended to benefit Burisma?

1 MS. TRAMONTANO: I am not aware of any policy changes  
2 that were made that would benefit Burisma.

3 MR. SCHRAM: Did Vice President Biden change Ukraine  
4 policy because of the influence of Blue Star Strategies?

5 MS. TRAMONTANO: Absolutely not.

6 MR. SCHRAM: Did the State Department change Ukraine  
7 policy because of the influence of Blue Star Strategies?

8 MS. TRAMONTANO: Absolutely not.

9 MR. SCHRAM: Did any U.S. Government official change  
10 Ukraine policy because of the influence of Blue Star  
11 Strategies?

12 MS. TRAMONTANO: Absolutely not.

13 MR. SCHRAM: To your knowledge, did Vice President  
14 Biden change Ukraine policy because of Hunter Biden's role  
15 on the board of Burisma?

16 MS. TRAMONTANO: No, not to my knowledge.

17 MR. SCHRAM: To your knowledge, did Vice President  
18 Biden change Ukraine policy in any manner to benefit his  
19 son?

20 MS. TRAMONTANO: No, not to my knowledge.

21 MR. SCHRAM: Ms. Tramontano, in a February 24th letter,  
22 Chairman Johnson requested subpoena authorization for  
23 documents and an interview of Andrii Telizhenko. After  
24 bipartisan pressure from Committee members concerned about a  
25 Russian disinformation effort, the Chairman abruptly

1 withdrew the authorization request. In the letter Chairman  
2 Johnson described Andrii Telizhenko as a "former consultant  
3 to Blue Star Strategies." Is that an accurate description  
4 of Mr. Telizhenko's role at your firm?

5 MR. FOLIO: Hey, Zack, I'm going to--it's fine to quote  
6 from the letter, but, again, I'm just going to object to  
7 your characterization of what Chairman Johnson did and why  
8 he did it. This is something you're putting in your own  
9 words and not anything based on what Chairman Johnson has  
10 done or said.

11 MR. SCHRAM: I stand by everything that I just said,  
12 and there's ample public and Committee record to support it  
13 in its entirety, so thank you.

14 MR. FOLIO: I'm just being clear it's a statement of  
15 your opinion.

16 MR. SCHRAM: I disagree. It's a characterization of  
17 the facts.

18 Ms. Telizhenko, how would you describe--sorry. Ms.  
19 Tramontano, my apologies. How would you describe Mr.  
20 Telizhenko's role at your firm?

21 MS. TRAMONTANO: We brought him on as a contractor to  
22 handle administrative tasks on the ground in Ukraine for us  
23 and some translation.

24 MR. SCHRAM: And when did he work for Blue Star  
25 Strategies?

1 MS. TRAMONTANO: His contract began in July of 2016.  
2 It was suspended for a month in February--I believe in  
3 January or February of 2016, and then I believe it was  
4 terminated in May of--I'm sorry. It was suspended in  
5 January of--January or February of 2017, and then it was  
6 terminated in either May or June of 2017. So from 2016 to  
7 2017, it was about, you know, a 10-month contract, I think,  
8 10 or 11 months.

9 MR. SCHRAM: And why was the contract suspended?

10 MS. TRAMONTANO: Mr. Telizhenko was making statements  
11 to the press that were very critical of President  
12 Poroshenko, and it's, you know, our policy that, you know,  
13 none of our employees or certainly any of our contractors  
14 should be making public statements in foreign countries in  
15 which we work about the government or representatives of the  
16 government.

17 MR. SCHRAM: And why was his contract terminated?

18 MS. TRAMONTANO: Well, Mr. Telizhenko had promised that  
19 he wouldn't violate those--our policies again, and basically  
20 it happened again in--I believe it would have been around  
21 May 2017 where he was giving press interviews and, you know,  
22 making a lot of allegations, and we were no longer  
23 comfortable with having him as a contractor.

24 MR. SCHRAM: In the Chairman's letter of February 24th,  
25 Chairman Johnson claimed that your firm used Hunter Biden's

1 name as "leverage" based in part on conversations the  
2 Chairman had with Andrii Telizhenko. Do you consider Andrii  
3 Telezhenko to be a reliable source?

4 MR. FOLIO: Sorry, Zack. I have got to object. That  
5 is not at all accurate. That is not what the letter says.  
6 The only reference to Telizhenko in the letter I'm certain  
7 is quoting from the Ken Vogel article.

8 MR. SCHRAM: Ms. Tramontano, are you aware that  
9 Chairman Johnson met with Andrii Telizhenko in July of 2019?

10 MS. TRAMONTANO: No, I'm not aware of that.

11 MR. SCHRAM: And that subsequently he started citing  
12 Mr. Telizhenko in letters related to this investigation?

13 MR. FOLIO: Again, Zack, to be clear, the only cite to  
14 Andrii Telizhenko made in any of Chairman Johnson's or  
15 Chairman Grassley's letters are citations to what he told  
16 Ken Vogel in the Politico story that was published in  
17 January 2017.

18 MR. GOSHORN: Joe, just to be clear, are you trying to  
19 draw a distinction between citing Telizhenko directly and  
20 citing the words Telizhenko said to somebody else in your  
21 letter? Is that the distinction you're drawing?

22 MR. FOLIO: Correct. Yeah, there's not one place in  
23 the Chairman's letter where they're drawing upon some sort  
24 of private interview with Telizhenko as Zack seems to be  
25 suggesting. Just to be clear--

1 MR. GOSHORN: So you're drawing upon claims Telizhenko  
2 made to others?

3 MR. FOLIO: Correct, yes.

4 MR. GOSHORN: So you're drawing upon Telizhenko's  
5 claims, just not the ones made to Johnson?

6 MR. FOLIO: Yes. There's no reference to anything  
7 Telizhenko said to Johnson or Grassley.

8 MR. GOSHORN: Okay.

9 MR. SCHRAM: In that case I'd like to introduce the  
10 February 24th letter as Exhibit A. Roy, can you pull up  
11 that letter, please.

12 [Tramontano Exhibit A was  
13 marked for identification.]

14 MR. SCHRAM: Ms. Tramontano, take as much time as you'd  
15 like to familiarize yourself with this letter. And I would  
16 suggest that Mr. Folio do the same.

17 MS. TRAMONTANO: Okay. Could somebody scroll it down  
18 so I can see it? I can only read the top part of it. Thank  
19 you.

20 [Pause.]

21 MS. TRAMONTANO: Okay. If you could scroll down  
22 further, please?

23 [Pause.]

24 MS. TRAMONTANO: Okay. If you could scroll down  
25 further, please?

1 [Pause.]

2 MS. TRAMONTANO: Okay. If you could scroll down  
3 further, please?

4 [Pause.]

5 MS. TRAMONTANO: And if you would scroll down further?

6 [Pause.]

7 MS. TRAMONTANO: And further, please?

8 [Pause.]

9 MS. TRAMONTANO: Further, please?

10 [Pause.]

11 MS. TRAMONTANO: Okay. Thank you.

12 MR. SCHRAM: Returning to the first page of this  
13 document, which cites Andrii Telizhenko, refers to Andrii  
14 Telizhenko at length, including conversations between the  
15 Chairman and Andrii Telizhenko, pointing to the third  
16 paragraph, the bottom of the first page, "In response, Mr.  
17 Telizhenko confirmed his intention to cooperate fully with  
18 the Committee's investigation and expressed his readiness to  
19 provide any evidence in his possession. During the course  
20 of our conversations with Mr. Telizhenko, he informed us  
21 that he worked as a consultant for Blue Star and he has  
22 responsive records from his time terrorism, specifically  
23 records relating to the work the firm did for Burisma."

24 Ms. Tramontano, do you consider --

25 MR. FOLIO: Hey, Zack, just to be clear, you've now

1 switched documents. When you raised the issue and I  
2 objected about our reliance on Telizhenko, we were  
3 discussing the December 3, 2019, letter from Johnson and  
4 Grassley to Blue Star for records. In all of Johnson and  
5 Grassley's request for records, we have not cited anything  
6 said by Andrii Telizhenko except for things that were  
7 reported in the press. Now you've substituted a different  
8 letter in which we did cite Mr. Telizhenko and his  
9 statements that he worked at Blue Star Strategies, possessed  
10 records from Blue Star Strategies, and was willing to  
11 voluntarily provide those to the Committee but for his  
12 nondisclosure agreement with Blue Star Strategies. Those  
13 are all statements of fact that Ms. Tramontano has  
14 confirmed.

15 MR. SCHRAM: Joe, I can read--we can ask Ms. Gray to  
16 read the record back, but I cited to the February 24th  
17 letter, and I've introduced it as an exhibit now. And if  
18 you'd just let me proceed with the question, I think it's  
19 quite clear, as we've now demonstrated in the Chairman's own  
20 words, that he refers extensively to Mr. Telizhenko.

21 MR. FOLIO: Well, first, it's not extensive. I think  
22 you're referring to one letter. And he refers to Telizhenko  
23 for the uncontroversial proposition, which Ms. Tramontano  
24 has confirmed today, that he was employed by Blue Star  
25 Strategies, was in possession of records from the time of

1 his employment, and that he was willing to provide those to  
2 the Committee. The statement made to which I objected was  
3 that Andrii Telizhenko told the Committee that Blue Star  
4 leveraged Hunter Biden's relationship, and that was an  
5 incorrect statement. That statement was based entirely on a  
6 State Department email that was received publicly through  
7 FOIA.

8 MR. SCHRAM: Joe, I ask you again that you familiarize  
9 yourself with your own letter. Turning to the second page  
10 of this letter, the first full paragraph, "These records are  
11 important to the Committee's investigation for several  
12 reasons. First, records indicate that Blue Star Strategies  
13 sought to leverage Hunter Biden's role as a board member of  
14 Burisma to gain access to and potentially influence matters  
15 at the State Department." So--

16 MR. FOLIO: Correct, citing that same State Department  
17 email.

18 MR. SCHRAM: I don't think that it's to anyone's  
19 benefit for you and I to have this debate. I'm asking a  
20 factual question to Ms. Tramontano, and I'll try to respect  
21 your time when it's back on your time.

22 MR. FOLIO: And I apologize. I really don't want to  
23 intervene in your time. I just want to make sure--

24 MR. SCHRAM: Moving on--

25 MR. FOLIO: --the record is clear about Johnson's

1 letter and what it says.

2 MR. SCHRAM: Moving on. Ms. Tramontano, do you  
3 consider Andrii Telizhenko a reliable source?

4 MS. TRAMONTANO: I do not.

5 MR. SCHRAM: Why not?

6 MS. TRAMONTANO: He proved to us in his short term as a  
7 contractor that the information he provided when we  
8 requested information was not reliable and couldn't be  
9 verified.

10 MR. SCHRAM: Are you aware that in a July 2020  
11 interview with BuzzFeed News, Mr. Telizhenko claimed, quote,  
12 We are going to expose corruption under the Obama-Biden  
13 administration in Ukraine and promise that, quote, there's a  
14 lot of new information still to come?

15 MS. TRAMONTANO: I'm aware of the article.

16 MR. SCHRAM: Ms. Tramontano, is Mr. Telizhenko's  
17 allegation concerning corruption in the Obama administration  
18 credible?

19 MS. TRAMONTANO: I do not find it credible.

20 MR. SCHRAM: Why not?

21 MS. TRAMONTANO: Well, as I said, when we would ask Mr.  
22 Telizhenko to conduct research or, you know, provide to her  
23 information, it was--the information he provided was, you  
24 know, conspiratorial in nature and unfounded, could not be  
25 verified. He couldn't provide facts. So we found it--we

1 found it to be unreliable.

2 MR. SCHRAM: Ms. Tramontano, are you aware that Mr.  
3 Telizhenko has amplified Russian disinformation efforts  
4 including that Ukraine interfered in the 2016 election?

5 MS. TRAMONTANO: I am aware of those allegations now,  
6 yes.

7 MR. SCHRAM: Are you aware that last week, the Senate  
8 Intelligence Committee published a bipartisan report that  
9 concluded that the theory Mr. Telizhenko promotes about  
10 Ukraine's 2016 election interference originated with a  
11 Russian intelligence officer named Konstantin Kilimnik?

12 MS. TRAMONTANO: I'm aware of the report, and I did  
13 actually review the report because I had an interest in it.

14 MR. SCHRAM: In your opinion, whose interest is Mr.  
15 Telizhenko advancing by promoting these theories?

16 MS. TRAMONTANO: He would be promoting Russia's  
17 interest, in my opinion.

18 MR. SCHRAM: Just a moment.

19 [Pause.]

20 MR. SCHRAM: Ms. Tramontano, are you aware that the  
21 chairman uses Mr. Telizhenko's name roughly 17 times in his  
22 letter of February 24th, 2020, and many more occasions  
23 across multiple letters throughout this investigation?

24 MS. TRAMONTANO: Well, I know from reviewing the  
25 letters that he does refer to Mr. Telizhenko several times,

1 many times.

2 MR. SCHRAM: Does that give you reason for concern  
3 about the reliability of the information that the Majority  
4 is relying on, the credibility of the information that the  
5 Majority is relying on?

6 MS. TRAMONTANO: Well, I certainly have concerns about  
7 Mr. Telizhenko's reliability. So I would certainly have  
8 concerns about anyone relying on his information.

9 MR. SCHRAM: Nothing more from us.

10 MR. WITTMANN: Hi, Ms. Tramontano. My name is Scott  
11 Wittmann. Thank you for your time today.

12 I want to--

13 MS. TRAMONTANO: Thank you.

14 MR. WITTMANN: Sure.

15 I want to begin by going to the cover letter that you  
16 sent to the committees on December 18, 2019. Okay. It  
17 should be up on the screen shortly.

18 MS. TRAMONTANO: Okay.

19 MR. WITTMANN: And we're going to introduce this as  
20 Majority Exhibit 2.

21 [Tramontano Exhibit No. 2  
22 marked for identification.]

23 MR. WITTMANN: Roy, could you transfer the presenting  
24 authority over to Will, please?

25 [Pause.]

1 MR. WITTMANN: Ms. Tramontano, we're going to--this is  
2 the cover letter on the screen right now. Can you see this?

3 MS. TRAMONTANO: Yes, I can.

4 MR. WITTMANN: Okay. We're going to scroll down to the  
5 second page.

6 MS. TRAMONTANO: Okay.

7 MR. WITTMANN: In the cover letter, you wrote about  
8 meetings at the U.S. embassy in Kyiv that occurred on  
9 December 14, 2015. In one of these meetings, you met with  
10 William Laitinen, the economic counselor at the embassy.  
11 You noted that the meeting had been scheduled to discuss--  
12 had not been scheduled to discuss Burisma, as we had several  
13 other corporate clients interest in Ukraine's economic  
14 situation. To be fully transparent, we disclosed that we  
15 were working with Burisma and inquired to his views of the  
16 company.

17 How did you obtain the meeting with Mr. Laitinen?

18 MS. TRAMONTANO: I mean, to the best of my  
19 recollection, we just asked for it probably via email.

20 MR. WITTMANN: Directly to him or to his staff?

21 MS. TRAMONTANO: You know, I don't know if they--if  
22 there were a written request, the committee--the committee  
23 would have it because we would have turned it over to the  
24 committee, but--so I don't have a present recollection, but  
25 typically, we just send an email and ask for the meeting.

1 MR. WITTMANN: If the meeting was not scheduled to  
2 discuss Burisma, why did you disclose that during the  
3 meeting?

4 MS. TRAMONTANO: Well, we would always disclose to the  
5 U.S. government. You know, whenever we had embassy  
6 meetings, we would always disclose to the U.S. government  
7 who our clients were in the country. We do that as a matter  
8 of cause.

9 MR. WITTMANN: Okay. I want to turn--enter in our next  
10 exhibit as Exhibit No. 3. This will be Tab 3, Will.

11 [Tramontano Exhibit No. 3  
12 marked for identification.]

13 [Pause.]

14 MR. WITTMANN: We're going to pull it up shortly.

15 MS. TRAMONTANO: Okay.

16 [Pause.]

17 MR. WITTMANN: Ms. Tramontano, can you see this  
18 document on your screen?

19 MS. TRAMONTANO: No. I'm sorry. There isn't a  
20 document on the screen yet.

21 It's on the screen now.

22 MR. WITTMANN: Okay. We're going to scroll down to the  
23 bottom of that first page, and it looks--we want to ask  
24 about this particular email on December 15th, 2015. A Blue  
25 Star employee, Pero--and my apologies if I'm mispronouncing

1 the last name--Jolevski--

2 MS. TRAMONTANO: Jolevski.

3 MR. WITTMANN: Jolevski. Thank you. --wrote to  
4 Stephen--I'm sorry? Wrote to--

5 MS. TRAMONTANO: No, I just said Jolevski.

6 MR. WITTMANN: Jolevski. Okay. Thank you.

7 --wrote to Stephen Gonyea, a USAID official, about  
8 scheduling a meeting with Mr. Laitinen. Who is--

9 MS. TRAMONTANO: Mm-hmm.

10 MR. WITTMANN: Who is Pero?

11 MS. TRAMONTANO: He's an employee of Blue Star  
12 Strategies.

13 MR. WITTMANN: Okay. And what's his position at Blue  
14 Star?

15 MS. TRAMONTANO: Well, his position now is he's a  
16 director. His position in 2015, I believe, would have been  
17 an associate.

18 MR. WITTMANN: Okay. Pero wrote Chip doesn't know  
19 anything about our work with Burisma, and they will probably  
20 not mention anything to him about it.

21 Mr. Gonyea responded this would be a very bad move not  
22 to mention this. Burisma linkages, good and bad, as you  
23 know, have a major news--have been a major news story and  
24 hugely politicized issue, especially during the recent  
25 visit. It's been used at--it's been used in attempts to

1 criticize U.S. policy and embarrass the ambassador.

2 Honestly would be the best--honesty would be the best

3 policy, seriously.

4 Pero wrote I totally understand, but I think we are

5 changing strategies.

6 Why did Blue Star not want to mention their work with

7 Burisma in their meeting with Mr. Laitinen originally?

8 MS. TRAMONTANO: I told you we mentioned it. We

9 disclosed.

10 MR. WITTMANN: Understand. But originally, it didn't--

11 based on this email, did Blue Star not want to mention

12 Burisma?

13 MS. TRAMONTANO: This is an email that Pero wrote. I

14 didn't--I didn't write it. We always disclose who, you

15 know, our clients in-country when we're in a U.S. embassy

16 meeting, and that's what we did.

17 MR. WITTMANN: Do you know why Pero would have thought

18 that you were considering not mentioning anything about

19 Burisma to Mr. Laitinen?

20 MS. TRAMONTANO: I do not.

21 MR. WITTMANN: When you met with Mr. Laitinen, what was

22 his awareness of Burisma?

23 MS. TRAMONTANO: I don't recall.

24 MR. WITTMANN: Did Mr. Laitinen have any aware ness of

25 Mr. Zlochevsky?

1 MS. TRAMONTANO: I do not recall.

2 MR. WITTMANN: When you disclosed your association with  
3 Burisma to Mr. Laitinen, what exactly did you disclose to  
4 him?

5 MS. TRAMONTANO: We would have--you know, I would have  
6 just said, you know, among our clients are and told him who  
7 our clients were in--I mean, not the list of Blue Star  
8 Strategies' clients, but those clients with whom we were  
9 working in Ukraine.

10 MR. WITTMANN: Did you decide--besides Burisma, did you  
11 disclose any other clients to Mr. Laitinen at that meeting?

12 MS. TRAMONTANO: We would have disclosed--the honest  
13 answer is I don't recall, but there were other clients that  
14 had--we represented Imperial Tobacco in Ukraine, and so  
15 there were--and they had an economic and a tax issue. So we  
16 would have--we would have mentioned--we would have mentioned  
17 them as a client.

18 MS. TRAMONTANO: Did Pero have the authority to decide  
19 what you would or would not disclose or discuss at this type  
20 of meeting?

21 MS. TRAMONTANO: Not at all.

22 MR. WITTMANN: Who would have had that authority?

23 MS. TRAMONTANO: I would have had that authority.  
24 Sally would have had that authority. As I said, Pero at the  
25 time--this was five years ago--he was an associate. That's

1 our--it's above the entry level of sort of our career  
2 ladder, but he would not have the authority. He would not  
3 have had the authority at that time.

4 MR. WITTMANN: In this early December 2015 meeting with  
5 Mr. Laitinen, did you discuss Vice President Biden's recent  
6 trip to Ukraine?

7 MS. TRAMONTANO: No, not--not that I recall.

8 MR. WITTMANN: Was Mr. Laitinen aware of Hunter Biden's  
9 role on Burisma's board?

10 MS. TRAMONTANO: I have no idea whether he was aware of  
11 not.

12 MR. WITTMANN: Did Mr. Laitinen offer any views or  
13 share his perspective about Burisma with you during this  
14 meeting?

15 MS. TRAMONTANO: Not that I recall.

16 MR. WITTMANN: We're going to go back to Exhibit 2.  
17 Tab 2, Will. This is the cover letter again, and we can  
18 scroll back to page 2 as a reference.

19 In this cover letter, you noted that you and Ms.  
20 Painter met with Amos Hochstein on December 10th, 2015.

21 MS. TRAMONTANO: That's correct.

22 MR. WITTMANN: What was discussed at this meeting?

23 MS. TRAMONTANO: We asked Mr. Hochstein if she knew the  
24 factual basis for Ambassador Pyatt's statements about the  
25 company. We asked Mr. Hochstein if he had a view of the

1 company, and we asked Mr. Hochstein if he knew whether the  
2 State Department had a position about the company.

3 MR. WITTMANN: What was Mr. Hochstein's position or his  
4 professional position in the State Department at the time of  
5 this meeting?

6 MS. TRAMONTANO: I don't know the exact title of the  
7 position, but it's the sort of energy czar, I think.

8 MR. WITTMANN: Okay. How did you obtain this meeting  
9 with Mr. Hochstein?

10 MS. TRAMONTANO: We asked him for it.

11 MR. WITTMANN: And this was directly to him or to his  
12 staff?

13 MS. TRAMONTANO: I think it was directly to him. I  
14 mean, Sally and I have known Amos for--I don't know--a  
15 couple of decades probably.

16 MR. WITTMANN: So you reached out to him directly?

17 MS. TRAMONTANO: Yeah. We would have just reached out  
18 to him directly.

19 MR. WITTMANN: Did Mr. Hochstein know about Burisma  
20 before he met with you?

21 MS. TRAMONTANO: I don't know what he knew before he  
22 met with us.

23 MR. WITTMANN: What was your--based on this meeting,  
24 did he have awareness of Burisma?

25 MS. TRAMONTANO: Yes, he did.

1 MR. WITTMANN: Did he have any awareness of Mr.  
2 Zlochevsky?

3 MS. TRAMONTANO: We didn't talk about Mr. Zlochevsky.

4 MR. WITTMANN: What was his awareness of Burisma?

5 MS. TRAMONTANO: Well, he was the energy czar. So he  
6 knew, you know--he knew about energy companies, you know,  
7 globally, I would guess, but he knew about the company.  
8 And, you know, he knew the company was a large private-  
9 sector energy company.

10 MR. WITTMANN: Was Mr. Hochstein aware of Ambassador  
11 Pyatt's statements that related to Burisma?

12 MS. TRAMONTANO: To the best of my recollection he was  
13 aware of the statements. He did not--he was not aware of  
14 the basis for the statements.

15 MR. WITTMANN: Did you all discuss what the basis of  
16 those statements might have been?

17 MS. TRAMONTANO: No, we didn't discuss what the basis  
18 of those statements would have been. Amos suggested we meet  
19 with Ambassador Pyatt.

20 MR. WITTMANN: And what was Amos' view of Burisma? Did  
21 he, in addition to having awareness of what the company  
22 does, did he have any other perspective regarding the  
23 company?

24 MS. TRAMONTANO: My recollection is he was negative.

25 MR. WITTMANN: And why was he negative?

1 MS. TRAMONTANO: I don't have a specific, you know,  
2 recollection that he--you know, that he stated reasons, but,  
3 you know, I recall that he was negative.

4 MR. WITTMANN: Did Mr. Hochstein's negative view of  
5 Burisma differ from the State Department's view?

6 MS. TRAMONTANO: I have no idea because I was--we were  
7 trying to find out what the State Department's view was, and  
8 we did not find that out.

9 MR. WITTMANN: How did you know that Mr. Hochstein's  
10 view was his personal view and not the view of the State  
11 Department?

12 MS. TRAMONTANO: He said it was his--he said it was his  
13 view.

14 MR. WITTMANN: And he didn't elaborate as to how he  
15 came to that--to hold that view?

16 MS. TRAMONTANO: I don't recall that he did.

17 MR. WITTMANN: Was Mr. Hochstein aware of Hunter  
18 Biden's role on Burisma's board?

19 MS. TRAMONTANO: Yes, I believe he was.

20 MR. WITTMANN: Was that discussed at this meeting?

21 MS. TRAMONTANO: I don't believe that it was.

22 MR. WITTMANN: How do you know Mr. Hochstein was aware  
23 of Hunter Biden's role on Burisma's board?

24 MS. TRAMONTANO: I think he said that, you know, he  
25 knew Hunter was on the board, or Hunter Biden was on the

1 board, but I don't recall a discussion about it.

2 MR. WITTMANN: And you think he said that at this  
3 meeting?

4 MS. TRAMONTANO: I believe he did.

5 MR. WITTMANN: Why was that issue brought up at this  
6 meeting?

7 MS. TRAMONTANO: It wasn't brought up as an issue.

8 MR. WITTMANN: Why did Mr. Hochstein mention that at  
9 this meeting?

10 MS. TRAMONTANO: You'll have to ask Mr. Hochstein that.

11 MR. WITTMANN: In addition to suggesting that you all  
12 meet with Ambassador Pyatt, did Mr. Hochstein offer any  
13 other advice to you?

14 MS. TRAMONTANO: No, but he said he would be happy to  
15 reach out to Ambassador Pyatt and let him know that we would  
16 be seeking a meeting.

17 MR. WITTMANN: Do you know if he ended up doing that?

18 MS. TRAMONTANO: I don't recall if he did. I mean, if  
19 he did and there were communications that we knew about, we  
20 would have submitted them to the Committee. Right now I  
21 don't have present recollection of that.

22 MR. WITTMANN: Did you request anything of Mr.  
23 Hochstein, including him reaching out to the ambassador?

24 MS. TRAMONTANO: We didn't make that request of him.  
25 He offered.

1 MR. WITTMANN: And why do you think he offered that?

2 MS. TRAMONTANO: I don't know. You'd have to ask him.

3 MR. WITTMANN: Were you surprised when he made that  
4 offer to you?

5 MS. TRAMONTANO: No. As I said, I'd known Amos for,  
6 you know, probably, you know, 10, 15, maybe even 20 years,  
7 so no. I mean, this is somebody that I know. And, again,  
8 I'll repeat myself. We were trying to find out why  
9 Ambassador Pyatt said what he said and whether that  
10 reflected the view of the State Department or whether that  
11 was, you know, his view, and was the basis for his  
12 statements. And we asked Amos if he knew, and, you know,  
13 that was it.

14 MR. WITTMANN: Would you describe it that he said he  
15 would reach out to Ambassador Pyatt, did you think of that  
16 as a personal favor?

17 MS. TRAMONTANO: I didn't think of it as anything. He  
18 said--what I recall is he suggested we meet with Ambassador  
19 Pyatt. We said we would. And, you know, and I recall him  
20 saying, "And if you need any help I'm happy to reach out to  
21 him." That was it.

22 MR. WITTMANN: I want to go back to the cover letter--  
23 Will, if you could put that up--also on page 2.

24 MS. TRAMONTANO: It's not on the screen yet.

25 MR. WITTMANN: Can you see it now?

1 MS. TRAMONTANO: Not yet, but it looks like it's  
2 coming. Okay. Yes, I can see it now.

3 MR. WITTMANN: At the bottom of that document, you  
4 noted that on December 14, 2015, you met with USAID  
5 representative Steve Gonyea. You noted that USAID had made  
6 the decision to decline Burisma's offer of assistance during  
7 the gas shortage. What did--

8 MS. TRAMONTANO: I'm sorry. You're referencing a  
9 meeting but the page--I can't see the reference because the  
10 page keeps moving.

11 MR. WITTMANN: Okay. We want to go to the bottom of  
12 page 2, Will, at that footnote. Keep it on the footnote.  
13 Thank you. It's in footnote number 3, Ms. Tramontano.

14 MS. TRAMONTANO: Okay. Okay. So if you could hold it  
15 there and just let me read it. Thank you.

16 MR. WITTMANN: Sure. Just let me know when you're  
17 ready.

18 MS. TRAMONTANO: Okay.

19 MR. WITTMANN: You noted that USAID had made a decision  
20 to decline Burisma's offer of assistance--

21 MS. TRAMONTANO: I'm sorry. I'm sorry. Could you just  
22 give me one more second?

23 MR. WITTMANN: Oh sure. Just let me know.

24 MS. TRAMONTANO: Okay. Thank you.

25 [Pause.]

1 MS. TRAMONTANO: Okay. Sorry. Thank you.

2 MR. WITTMANN: Oh, no worries. I'll just repeat the  
3 intro again, to the question. You noted that USAID had made  
4 a decision to decline Burisma's offer of assistance during  
5 the gas shortage. What did Burisma offer USAID?

6 MS. TRAMONTANO: You know, I don't remember at this  
7 time what the offer was. I'm sorry.

8 MR. WITTMANN: Do you know why USAID declined Burisma's  
9 assistance?

10 MS. TRAMONTANO: No, I did not at the time, and as I  
11 recall, Gonyea was not clear about why.

12 MR. WITTMANN: And just so I understand, he wasn't  
13 clear during this meeting?

14 MS. TRAMONTANO: Yeah, that's correct. That's my  
15 recollection.

16 MR. WITTMANN: Okay. Did Burisma ever provide  
17 assistance to or cooperate with USAID?

18 MS. TRAMONTANO: Before we worked with Burisma, Burisma  
19 had offered assistance to USAID, and I believe that was  
20 accepted. I don't know the nature of it, but I believe  
21 there was an occasion where they did offer assistance and  
22 USAID accepted.

23 MR. WITTMANN: What was the type of assistance that was  
24 offered?

25 MS. TRAMONTANO: Yeah, I don't know. As I said, it was

1 before we were working with Burisma.

2 MR. WITTMANN: Before November of 2015?

3 MS. TRAMONTANO: Yes. That's correct.

4 MR. WITTMANN: Do you know the date of when this  
5 assistance was accepted?

6 MS. TRAMONTANO: I do not know that.

7 MR. WITTMANN: I'm sorry. The line was breaking up.  
8 You do not?

9 MS. TRAMONTANO: Oh, no, I'm sorry. I do not know the  
10 date.

11 MR. WITTMANN: How did you obtain this meeting with  
12 USAID in December of 2015?

13 MS. TRAMONTANO: I think we just sent an email asking  
14 for the meeting.

15 MR. WITTMANN: And email to Mr. Gonyea?

16 MS. TRAMONTANO: Yes. I believe that's correct. I  
17 think it was put up on the screen previously.

18 MR. WITTMANN: Okay. And during this meeting, did you  
19 get a sense of what Mr. Gonyea's awareness or perspective of  
20 Burisma was?

21 MS. TRAMONTANO: My recollection is that Mr. Gonyea was  
22 new to the position, and, I mean, that's my recollection.  
23 He was new to the position, or relatively new to Ukraine,  
24 and, you know, he did not have a lot of--you know, he didn't  
25 have a lot of background yet. That's my recollection.

1 MR. WITTMANN: When did USAID decline the company's  
2 assistance?

3 MS. TRAMONTANO: I don't know the date.

4 MR. WITTMANN: Because based on how I read the cover  
5 letter, it seemed as if that had occurred prior to December  
6 2015. Is that correct?

7 MS. TRAMONTANO: Yeah, I think--yes, it would have been  
8 prior to December 2015.

9 MR. WITTMANN: Okay. Do you know if it was before Blue  
10 Star took on Burisma as a client?

11 MS. TRAMONTANO: I believe it was.

12 MR. WITTMANN: Did Mr. Gonyea have any awareness of Mr.  
13 Zlochevsky?

14 MS. TRAMONTANO: Not that I'm aware of.

15 MR. WITTMANN: Was that discussed at this meeting, Mr.  
16 Zlochevsky?

17 MS. TRAMONTANO: No, not based on my recollection.

18 MR. WITTMANN: At this meeting, did you discuss Vice  
19 President Biden's recent trip to Ukraine?

20 MS. TRAMONTANO: No, not that I recall.

21 MR. WITTMANN: Was Mr. Gonyea aware of Hunter Biden's  
22 role on Burisma's board?

23 MS. TRAMONTANO: I have no idea if he was aware of it.

24 MR. WITTMANN: Was that discussed at this meeting?

25 MS. TRAMONTANO: No. I didn't discuss Hunter Biden's

1 role at the meeting.

2 MR. WITTMANN: Was the topic mentioned at this meeting?

3 MS. TRAMONTANO: No.

4 MR. WITTMANN: Why did Mr. Gonyea's perspective about  
5 Burisma matter to you?

6 MS. TRAMONTANO: As I said, we were trying to  
7 understand what the U.S. State Department position was,  
8 whether it had a position about Burisma. And so we were  
9 having meetings to learn that.

10 MR. WITTMANN: And what did you learn in this meeting?

11 MS. TRAMONTANO: As I said, my recollection is that Mr.  
12 Gonyea was either new to the position or new to Ukraine, and  
13 he was, you know, just beginning to understand, you know,  
14 the, you know, the complexities of the country, and, you  
15 know, its stakeholders. So that's my recollection.

16 MR. WITTMANN: We're going to stay on this exhibit but  
17 go to the next page, Will, page 3, right at the top,  
18 regarding your meeting with Ambassador Pyatt on December 16,  
19 2015. Could you tell us who attended this meeting, please?

20 MS. TRAMONTANO: I think I was--I mean, from--I think  
21 it was me, from Blue Star Strategies. And you're talking  
22 about the Yovanovich meeting, or were you talking about--

23 MR. WITTMANN: I'm sorry. The Ambassador Pyatt meeting  
24 on December 16, 2015.

25 MS. TRAMONTANO: Oh, okay. I'm sorry.

1 MR. WITTMANN: We'll get to Ambassador Yovanovich in a  
2 little bit.

3 MS. TRAMONTANO: Okay. Sorry about that.

4 MR. WITTMANN: It's okay.

5 MS. TRAMONTANO: No, in that case it was Sally Painter  
6 and me in that meeting.

7 MR. WITTMANN: Where did this--I'm sorry.

8 MS. TRAMONTANO: Ambassador Pyatt was in the meeting,  
9 and, you know, I don't recall if there was someone else from  
10 the Embassy in the meeting. There certainly may have been  
11 but I don't recall.

12 MR. WITTMANN: And just based on your previous  
13 statement, it sounded like this meeting occurred at the U.S.  
14 Embassy?

15 MS. TRAMONTANO: Yes. Yes, it occurred at the U.S.  
16 Embassy. There was--I mean, the record--there are emails  
17 that we submitted to the Committee that at some point we  
18 were--it was going to be a coffee somewhere in Kiev, but  
19 then it was ultimately held at the Embassy. My recollection  
20 is that it was ultimately held at the Embassy.

21 MR. WITTMANN: Okay. And what was discussed at this  
22 meeting?

23 MS. TRAMONTANO: We talked to the ambassador about the  
24 clients that we were working with, and asked his advice  
25 about, you know, a couple of potential clients, and that was

1 about it.

2 MR. WITTMANN: Did you discuss Burisma at this meeting?

3 I'm sorry. Go ahead.

4 MS. TRAMONTANO: Yes. We told him--no, I said it was a  
5 brief meeting as I recall.

6 MR. WITTMANN: Okay. Did you discuss Burisma at this  
7 meeting?

8 MS. TRAMONTANO: We did. We told him that we were  
9 working with Burisma.

10 MR. WITTMANN: And did the ambassador have any reaction  
11 to that?

12 MS. TRAMONTANO: My recollection is he said he, you  
13 know, didn't want to discuss it, or, you know, something  
14 like that.

15 MR. WITTMANN: Did he say why he didn't want to discuss  
16 it?

17 MS. TRAMONTANO: He did not.

18 MR. WITTMANN: Was--excuse me one second.

19 MS. TRAMONTANO: Sure.

20 MR. WITTMANN: You had mentioned earlier that Mr.  
21 Hochstein advised you to talk to the ambassador. Correct?

22 MS. TRAMONTANO: That's correct.

23 MR. WITTMANN: Specifically to get a better  
24 understanding of the State Department's view of Burisma. Is  
25 that correct?

1 MS. TRAMONTANO: Actually, to get a better  
2 understanding of the basis for Ambassador Pyatt's view of  
3 Burisma.

4 MR. WITTMANN: And going into this meeting, what was  
5 your understanding of the ambassador's view of Burisma?

6 MS. TRAMONTANO: Well, it was negative. He had made a  
7 public statement earlier that year, as I said previously,  
8 either sometime in August or September, that was negative  
9 about the company. He singled the company out.

10 MR. WITTMANN: Why did you think it was a negative  
11 view?

12 MS. TRAMONTANO: Why did I think it was a negative  
13 view? The ambassador made a statement that was negative  
14 about the company, allegations about the company.

15 MR. WITTMANN: What type of allegations?

16 MS. TRAMONTANO: Well, I don't recall specifically. I  
17 probably knew at the time but I don't recall specifically  
18 what the specific allegations were. But he was negative.  
19 He called the company out by name as, you know, a bad  
20 company. I don't recall the specific language he used.

21 MR. WITTMANN: Were you aware of any similar statements  
22 the ambassador made with regard to Mr. Zlochevsky?  
23 Specifically Mr. Zlochevsky.

24 MS. TRAMONTANO: Yeah, I was aware of statements that  
25 he had made about Mr. Zlochevsky as well.

1 MR. WITTMANN: And would you--was it your view at the  
2 time that those statements were also negative?

3 MS. TRAMONTANO: I had no view of those statements. I  
4 was trying to understand the ambassador's view of Burisma.

5 MR. WITTMANN: Was it your position that the  
6 Ambassador's view of Burisma was the same as the view of the  
7 U.S. Government?

8 MS. TRAMONTANO: As I said previously, we were trying  
9 to determine that very question. We were trying to  
10 determine whether the State Department's view was--or I  
11 should say it in the reverse, whether Ambassador Pyatt's  
12 view reflected the State Department's view or whether  
13 Ambassador Pyatt's view was Ambassador Pyatt's view.

14 MR. WITTMANN: And were you able to make that  
15 determination or any of those determinations following this  
16 meeting?

17 MS. TRAMONTANO: No.

18 MR. WITTMANN: Did you have any reason to believe that  
19 the Ambassador's view that he had publicly expressed wasn't  
20 the view of the United States Government?

21 MS. TRAMONTANO: Based on my experience, there are  
22 times when Ambassadors have a view that does not reflect the  
23 State Department's view. That's what we were trying to find  
24 out.

25 MR. WITTMANN: In your meeting with Ambassador Pyatt,

1 did you discuss Ukraine's prosecutor general?

2 MS. TRAMONTANO: No, we did not.

3 MR. WITTMANN: In this meeting with Ambassador Pyatt,  
4 did you discuss Hunter Biden's role on Burisma's board?

5 MS. TRAMONTANO: We did not.

6 MR. WITTMANN: At this meeting did you discuss Vice  
7 President Biden's recent trip to Ukraine?

8 MS. TRAMONTANO: We did not.

9 MR. WITTMANN: Did Ambassador Pyatt offer any advice to  
10 you regarding Burisma?

11 MS. TRAMONTANO: Not regarding Burisma.

12 MR. WITTMANN: Did you request anything of Ambassador  
13 Pyatt at this meeting?

14 MS. TRAMONTANO: I did not request anything.

15 MR. WITTMANN: Did you attempt to meet with anyone else  
16 during this time period, December 2015, did you attempt to  
17 meet with anyone else at the U.S. Embassy to discuss  
18 Burisma?

19 MS. TRAMONTANO: The meetings that we had during that  
20 time have all been submitted to the Committee. I don't  
21 recall any other--any other meetings that we had.

22 MR. WITTMANN: Okay. I want to turn now to our next  
23 exhibit, which we'll enter into the record as Exhibit No. 4.  
24 Tab 4, please, Will.

25 [Tramontano Exhibit No. 4

1 marked for identification.]

2 MR. WITTMANN: And I'll have Will scroll down to the  
3 bottom of this email. Will, down to the bottom of the first  
4 page, please? And I'll give you a chance to read that Ms.  
5 Tramontano. Just let me know when you're ready.

6 MS. TRAMONTANO: Okay.

7 MR. WITTMANN: On February 18, 2016, you emailed Under  
8 Secretary Catherine Novelli a request for a meeting. You  
9 wrote that you wanted to "discuss a matter on which I need  
10 your advice." You added, "Essentially, the U.S. Government  
11 has taken a position in a commercial matter regarding a  
12 Ukrainian individual, and I believe that position is in  
13 error."

14 So at this point when you wrote this, did you already  
15 know what the U.S. Government position was regarding--well,  
16 first of all, I should ask: What were you referencing in  
17 this line regarding a commercial matter about a Ukrainian  
18 individual?

19 MS. TRAMONTANO: The reference would have been to  
20 Burisma.

21 MR. WITTMANN: Okay. And who is the Ukrainian  
22 individual?

23 MS. TRAMONTANO: It would have been the shareholder.

24 MR. WITTMANN: And who was that person?

25 MS. TRAMONTANO: Mykola Zlochevsky.

1 MR. WITTMANN: Okay. So based on this email, were you  
2 aware what the U.S. Government's position on Burisma and  
3 Zlochevsky?

4 MS. TRAMONTANO: Well, at this time, you know, I think  
5 this was--I don't see the date.

6 MR. WITTMANN: I'm sorry. We'll scroll up and show you  
7 that date.

8 MS. TRAMONTANO: Okay. Thank you.

9 MR. WITTMANN: Sure.

10 MS. TRAMONTANO: So it's February. Yeah, so at this  
11 time what we knew was Ambassador Pyatt's view and we knew  
12 from our meeting with Mr. Hochstein that he was negative.  
13 So that's what we knew.

14 MR. WITTMANN: So at this time did you think that that  
15 view was the view of the U.S. Government?

16 MS. TRAMONTANO: Well, we were still trying to figure  
17 out if it were the U.S. Government's view and that was my  
18 reason for reaching out to Under Secretary Novelli.

19 MR. WITTMANN: You wrote, "The U.S. Government has  
20 taken a position." Was it your view at the time--

21 MS. TRAMONTANO: And as I said--no, and as I said, we  
22 knew what Ambassador Pyatt's view was, we knew what Amos'  
23 view was, and we were trying to figure out whether that was,  
24 you know, broadly the view of the U.S. State Department.

25 MR. WITTMANN: Was there a reason why you didn't ask

1 that question in your email?

2 MS. TRAMONTANO: Well, that's what we were trying to  
3 do, so--

4 MR. WITTMANN: You noted in your--

5 MS. TRAMONTANO: --that is asking for--sorry.

6 MR. WITTMANN: I'm sorry. Go ahead, go ahead.

7 MS. TRAMONTANO: No, please go ahead.

8 MR. WITTMANN: You noted in your email that the reason  
9 of the email was to discuss the matter, and you asked for  
10 Ms. Novelli's advice, and you--

11 MS. TRAMONTANO: That's correct.

12 MR. WITTMANN: And you noted that the position is in  
13 error. Why was the position of, according to this email,  
14 the U.S. Government in error?

15 MS. TRAMONTANO: Well, what we understood from  
16 Ambassador--about Ambassador Pyatt's position from the  
17 statement that he had made, as I said earlier, about the  
18 company and also about the U.K. decision was that U.K.  
19 decision and his statements about it, John Buretta had done  
20 some investigation of that, and the position was that it was  
21 in error.

22 MR. WITTMANN: At this point in time, had Mr. Buretta--  
23 had Blue Star worked with Mr. Buretta at this point?

24 MS. TRAMONTANO: At this point in time, Mr. Buretta had  
25 been retained by Burisma. I believe at this point in time

1 he had been retained. I believe he was retained in January.

2 MR. WITTMANN: Why did you think that Under Secretary  
3 Novelli could help you with this matter?

4 MS. TRAMONTANO: Well, I wasn't asking--I wasn't asking  
5 for any help.

6 MR. WITTMANN: For her advice.

7 MS. TRAMONTANO: I was asking for her advice. Under  
8 Secretary Novelli in her position had negotiated the  
9 sovereign guarantee for Ukraine, so I thought she would be  
10 someone who would know a bit about the situation in Ukraine.

11 MR. WITTMANN: Did you think that she would have--did  
12 you think that she had knowledge of Burisma and Zlochevsky  
13 at this time?

14 MS. TRAMONTANO: I didn't know whether she had  
15 knowledge of Burisma or Zlochevsky at this time. I learned  
16 that in...

17 MR. WITTMANN: I'm sorry, Ms. Tramontano. The line was  
18 breaking up. Do you mind repeating that? All I heard was,  
19 "I learned that."

20 MS. TRAMONTANO: I said I did not know whether she had  
21 knowledge of Burisma or Zlochevsky at this time. I learned  
22 she did not.

23 MR. WITTMANN: And how did you learn that?

24 MS. TRAMONTANO: At the meeting we had with her.

25 MR. WITTMANN: Okay. Why did you not name the

1 Ukrainian individual in the email to Ms. Novelli?

2 MS. TRAMONTANO: I don't recall.

3 MR. WITTMANN: Was there a reason why you didn't  
4 mention the name of the company Burisma, in this email?

5 MS. TRAMONTANO: I don't--I don't recall.

6 MR. WITTMANN: I want to go back to Exhibit 2. We're  
7 going to go to page 2.

8 MS. TRAMONTANO: Okay.

9 MR. WITTMANN: The second to last paragraph. Ms.  
10 Novelli--I'm sorry. Ms. Tramontano, we're going to move on  
11 to questions about the meeting with Ms. Novelli. Do you see  
12 the paragraph on your screen that begins with "The second  
13 incorrect assertion"?

14 MS. TRAMONTANO: Yes, I do.

15 MR. WITTMANN: Okay. In this cover letter, you  
16 acknowledged an internal State Department email about your  
17 request to Under Secretary Novelli. When you made the  
18 request to Ms. Novelli, we just saw the email directly to  
19 her. Did you have any follow-up conversations with her  
20 staff arranging this meeting?

21 MS. TRAMONTANO: As I recall, Ms. Novelli or Under  
22 Secretary Novelli responded to my email. It would be in the  
23 Committee documents. But my recollection is she responded  
24 to the email like, "Sure," or "Yes," or, you know, she  
25 agreed to the meeting. Subsequent to that, her staff was

1 preparing a briefing, a briefing for the meeting, and my  
2 best recollection is I had a phone conversation with her  
3 staff.

4 MR. WITTMANN: Okay. And when did that phone  
5 conversation occur?

6 MS. TRAMONTANO: You know, it was prior to the meeting  
7 with Under Secretary Novelli, but I don't recall the--I  
8 don't recall the date.

9 MR. WITTMANN: Did you mention Hunter Biden's name?

10 MS. TRAMONTANO: My recollection when I was talking to  
11 her staff is I was asked a question about whether there was  
12 any U.S. content or U.S. involvement in Burisma, and I  
13 responded that Burisma purchases its equipment from U.S.  
14 companies and that Hunter Biden and Devon Archer, both U.S.  
15 citizens, were on the board.

16 MR. WITTMANN: And was there any other follow-up  
17 discussion after you mentioned that regarding those two  
18 specific facts?

19 MS. TRAMONTANO: No, not to my--not to my recollection,  
20 no.

21 MR. WITTMANN: In this cover letter, in that same  
22 paragraph, you wrote, "Ms. Novelli agreed to the meeting and  
23 my request. The purpose of the meeting was to understand  
24 the State Department's position regarding Burisma as well as  
25 how the State Department came to that position." The date

1 of the meeting was March 1, 2016.

2 MS. TRAMONTANO: Yeah, I believe that's correct, yeah.

3 MR. WITTMANN: So at this time--or, rather, in this  
4 letter to the committees, you're saying that this is now--it  
5 is the position of the State Department that you wanted to  
6 discuss.

7 MS. TRAMONTANO: Yes, that's correct.

8 MR. WITTMANN: What position did the State Department--  
9 did you want to specifically--what State Department position  
10 did you specifically want to discuss with Ms. Novelli?

11 MS. TRAMONTANO: We wanted to understand the State  
12 Department's position regarding Burisma and how the  
13 Department came to that position.

14 MR. WITTMANN: And what was the State Department's  
15 position regarding Burisma?

16 MS. TRAMONTANO: Well, that's what we were trying to--  
17 that's what we were trying to understand. We knew  
18 Ambassador Pyatt's position, we understood Mr. Hochstein's  
19 position, and we were trying to understand whether that was  
20 the State Department's view as well.

21 MR. WITTMANN: In this letter, you reference how--that  
22 you were trying to understand how the State Department came  
23 to that position.

24 MS. TRAMONTANO: Yes, that's correct.

25 MR. WITTMANN: So was it your understanding that those

1 positions held by the Ambassador and Mr. Hochstein were the  
2 positions that the State Department had already reached?

3 MS. TRAMONTANO: Well, that's what we were trying to  
4 understand.

5 MR. WITTMANN: You mentioned that Mr. Buretta  
6 accompanied you at this meeting. Is that correct?

7 MS. TRAMONTANO: That's correct.

8 MR. WITTMANN: According to the cover letter, you met  
9 with Ms. Novelli on March 1, 2016. Correct?

10 MS. TRAMONTANO: Yeah, I believe that's correct. I  
11 mean, that's what the cover letter says, and I believe that  
12 was the time of the meeting.

13 MR. WITTMANN: And Mr. Buretta accompanied you at this  
14 meeting. Is that correct?

15 MS. TRAMONTANO: Yes, he did.

16 MR. WITTMANN: Did anyone else attend this meeting?

17 MS. TRAMONTANO: I don't recall whether Under Secretary  
18 Novelli had a staff person in the meeting. I just don't  
19 recall that.

20 MR. WITTMANN: Did you prepare any materials for this  
21 meeting with Under Secretary Novelli?

22 MS. TRAMONTANO: I did not prepare any materials.

23 MR. WITTMANN: Did anyone on your staff prepare any  
24 materials?

25 MS. TRAMONTANO: No, they did not.

1 MR. WITTMANN: Okay. I want to introduce our next  
2 exhibit into the record, Exhibit No. 5. Tab 5, please,  
3 Will.

4 [Tramontano Exhibit No. 5  
5 marked for identification.]

6 MR. WITTMANN: And we're going to go to page 2, please,  
7 Will, towards the top.

8 In emails about preparation for this meeting with Under  
9 Secretary Novelli, a State Department employee requested  
10 that Pero provide more details about the meetings, mainly  
11 the name of the Ukrainian official, and you responded.

12 Please scroll up, Will.

13 And you responded let's have a conversation with the  
14 staff person rather than engage in emails.

15 MS. TRAMONTANO: Mm-hmm.

16 MR. WITTMANN: Why did you want to--I'm sorry. Why did  
17 you want to have a conversation with the staff person rather  
18 than engage in emails?

19 MS. TRAMONTANO: Because I'm old, and I prefer to have  
20 conversations with people rather than exchange emails. I  
21 find it's not the best medium sometimes.

22 MR. WITTMANN: Was there any reason why you didn't want  
23 to put the name of the Ukraine official in an email?

24 MS. TRAMONTANO: No. I just thought it would be best  
25 to have a conversation with the staff person, which is what

1 I did.

2 MR. WITTMANN: One moment, please.

3 Ms. Tramontano, I think I have time for one more  
4 question before our time is up.

5 MS. TRAMONTANO: Sure.

6 MR. WITTMANN: And that question is in line with what  
7 we were just talking about.

8 MS. TRAMONTANO: Mm-hmm.

9 MR. WITTMANN: Did you engage in conversations with a  
10 staff person?

11 MS. TRAMONTANO: Yes, I believe I did, and I referred  
12 to them in your previous question.

13 MR. WITTMANN: And what did you discuss with that staff  
14 person?

15 MS. TRAMONTANO: Well, as I said previously, my  
16 recollection is that I told him we were going to be  
17 discussing Burisma, explain the company, and he asked  
18 whether there was any U.S. persons or content involved in  
19 Burisma. And I responded affirmatively and explained that  
20 Burisma purchased its equipment from U.S. manufacturers, and  
21 that Hunter Biden and Devon Archer were on the board.  
22 That's my recollection.

23 MR. WITTMANN: Thank you.

24 I'm going to turn it over to my colleague, Josh, for  
25 our last few questions.

1 MR. FLYNN-BROWN: No questions here.

2 I just want a quick statement regarding the Minority's  
3 opening statement. I think most of the elements of their  
4 opening statement have been addressed in previous  
5 interviews, but I just want to make this clear for the  
6 record.

7 Senator Grassley cares very deeply about the COVID  
8 pandemic and the effect that it's had on the American people  
9 and our financial system. He has taken and will continue to  
10 take all necessary steps he can to use his finance  
11 jurisdiction to assist the American people in our fight  
12 against the virus and support the United States economy.  
13 Any insinuation, implication, or direct statement to the  
14 contrary is not rooted in fact.

15 MR. WITTMANN: Thank you, Josh.

16 I believe our time is up for this round. Zack, I'm  
17 happy to turn it over to you, or, Ms. Tramontano, if you'd  
18 like a break, please let us know.

19 MR. SCHRAM: Would this be a good time for a lunch  
20 break, Ms. Tramontano?

21 MS. TRAMONTANO: You know, if I had, like, a five-  
22 minute break or ten-minute break that would be sufficient.  
23 I mean, I don't need much more.

24 MR. SCHRAM: Scott, do you know how many--

25 MS. TRAMONTANO: It's up to you.

1 MR. SCHRAM: --more rounds that you--how many more  
2 rounds you have?

3 MR. WITTMANN: I'm not sure at this point, Zack, but we  
4 can--yeah. Not sure at this point, Zack, but we can  
5 discuss.

6 MR. SCHRAM: Okay. So--

7 MR. WITTMANN: We're happy to give Ms. Tramontano 10  
8 minutes if she would like.

9 MR. SCHRAM: I'm just wondering maybe this would be a  
10 good moment to take a little longer. It doesn't sound like  
11 you're wrapping up imminently. So why don't we take half an  
12 hour and come back at 1:40.

13 MR. WITTMANN: That works. Thank you. Zack.

14 MR. SCHRAM: Sure thing.

15 MS. TRAMONTANO: Okay. Thank you very much.

16 MR. WITTMANN: Thank you.

17 [Whereupon, at 1:09 p.m., the interview was recessed,  
18 to reconvene at 1:40 p.m. this same day.]

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1 AFTERNOON SESSION

2 [1:44 p.m.]

3 MR. SCHRAM: Let's go on the record. Will, can you  
4 hand Roy presenter control, please?

5 MR. SACRIPANTI: Absolutely. Sending it over now.

6 MR. SCHRAM: Ms. Tramontano, during my last hour of  
7 questioning the majority interjected when I mentioned the  
8 name of Andrii Telizhenko. I'd like to draw your attention  
9 to a number of the Chairman's letters, where they are using  
10 Mr. Telizhenko, relying on Mr. Telizhenko as a source of  
11 information to further the investigation.

12 On December 6, 2019, Chairman Johnson's staff reached  
13 out directly to Mr. Telizhenko, requesting documents and his  
14 appearance for a voluntary transcribed interview. In a  
15 September 27, 2019, letter from the Chairman to Attorney  
16 General Barr, Mr. Telizhenko was quoted extensively from a  
17 May 29, 2019, John Soloman article. On November 1, 2019,  
18 the Chairman sent a letter to the National Archives. In  
19 that letter, Mr. Telizhenko is cited as the basis for  
20 requesting records concerning a January 2016 meeting with  
21 the White House and Ukrainian prosecutors. In that letter  
22 alone, Mr. Telizhenko is mentioned 11 times.

23 In the February 24, 2020, letter that we discussed, the  
24 letter from Chairman Johnson to Ranking Member Peters,  
25 Chairman Johnson requested that the Committee authorize a

1 subpoena for records and personal attendance for Mr.  
2 Telizhenko. On March 1, 2020, the Chairman requested,  
3 again, records of Mr. Telizhenko, as mentioned because of  
4 concerns of Committee members that Mr. Telizhenko narratives  
5 are part of Russian disinformation campaign. The Chairman  
6 pulled down a vote to authorize that subpoena.

7 Marking as Exhibit B, a photograph, that I will ask Roy  
8 to pull up.

9 [Tramontano Exhibit B marked  
10 for identification.]

11 MR. SCHRAM: Ms. Tramontano, do you recognize the  
12 individuals in this photo?

13 MS. TRAMONTANO: Mr. Schram, the photo is not up yet.  
14 Oh, it's coming now. Give me one minute.

15 So that is Andrii Telizhenko and Senator Johnson.

16 MR. SCHRAM: That's all from us.

17 MR. WITTMANN: Thank you, Zack. Ms. Tramontano, can  
18 you hear me?

19 MS. TRAMONTANO: Yes, I can.

20 MR. WITTMANN: Okay. Thank you. I want to go back--

21 MS. TRAMONTANO: I can't see--

22 MR. WITTMANN: I'm sorry?

23 MS. TRAMONTANO: I said I can't see you, though.

24 MR. WITTMANN: Oh, I'm sorry.

25 MS. TRAMONTANO: That's okay.

1 MR. WITTMANN: I can see you.

2 MS. TRAMONTANO: Okay.

3 MR. WITTMANN: I want to pick up where we left off  
4 regarding the March 1, 2016, meeting with Under Secretary  
5 Novelli.

6 MS. TRAMONTANO: Okay.

7 MR. WITTMANN: Could you talk about whether Ms. Novelli  
8 was aware of the U.S. Government's position regarding  
9 Burisma?

10 MS. TRAMONTANO: My recollection is she was not aware.

11 MR. WITTMANN: What did you discuss at that meeting on  
12 March 1, 2016?

13 MS. TRAMONTANO: So to the best of my recollection, I  
14 told Ms. Novelli that we were working with Burisma, that  
15 Ambassador Pyatt had made statements about the company, and  
16 had made statements that we believed to be incorrect about  
17 the UK court decision. And I asked her if she was aware of  
18 the company or if she was aware of Ambassador Pyatt's  
19 remarks, and to the best of my recollection she said she was  
20 not aware of either.

21 MR. WITTMANN: So just so I understand, not only was  
22 she not aware of the government's position regarding Burisma  
23 but she also did not have awareness of Burisma?

24 MS. TRAMONTANO: Yes. That's my recollection.

25 MR. WITTMANN: And what about Mr. Zlochevsky? Did Ms.

1 Novelli have any awareness of Mr. Zlochevsky or the  
2 government's position of Mr. Zlochevsky?

3 MS. TRAMONTANO: I don't recall that being part of the  
4 conversation. I recall the conversation being about  
5 Burisma.

6 MR. WITTMANN: And what was Ms. Novelli's reaction to  
7 you telling her your position, that the government had--may  
8 have taken a perspective or position regarding Burisma that  
9 might have been in error?

10 MS. TRAMONTANO: As I recall, John Buretta offered to  
11 explain his position about the case and why he thought it  
12 was--why he thought Ambassador Pyatt's view was an incorrect  
13 view. And, you know, I don't recall much more about the  
14 meeting than what I've already said.

15 MR. WITTMANN: Were you surprised that Under Secretary  
16 Novelli did not have any awareness of Burisma or Mr.  
17 Zlochevsky?

18 MS. TRAMONTANO: I don't recall being surprised at  
19 that, no.

20 MR. WITTMANN: Was it your expectation that she would  
21 have awareness?

22 MS. TRAMONTANO: I didn't have any expectations.

23 MR. WITTMANN: Was Ms. Novelli aware of Hunter Biden's  
24 role on Burisma's board?

25 MS. TRAMONTANO: We didn't talk about it.

1 MR. WITTMANN: Was Ms. Novelli aware of Devon Archer's  
2 role on Burisma's board?

3 MS. TRAMONTANO: We did not talk about that.

4 MR. WITTMANN: Did you discuss Ukraine's Prosecutor  
5 General?

6 MS. TRAMONTANO: No, we did not.

7 MR. WITTMANN: Did the Prosecutor General's Office  
8 relate in any way to the UK case regarding Mr. Zlochevsky?

9 MS. TRAMONTANO: The only relationship that I recall  
10 was, again, Ambassador Pyatt's claim that the Prosecutor  
11 General's Office at that time did not provide any evidence  
12 to the UK case.

13 MR. WITTMANN: And did that specific point come up as  
14 part of your discussion with Ms. Novelli?

15 MS. TRAMONTANO: It did not come up as part of my  
16 discussion with Under Secretary Novelli. I believe John  
17 said--Mr. Buretta said that he reviewed the entire file and  
18 there were hundreds of documents submitted by the Office of  
19 the Prosecutor General for Ukraine.

20 MR. WITTMANN: When you left--when your meeting with  
21 Under Secretary Novelli ended, did you or Mr. Buretta have a  
22 better understanding of the government's perspective of  
23 Burisma?

24 MS. TRAMONTANO: We did not, because Under Secretary  
25 Novelli had no knowledge of Burisma or the government's

1 position, nor was she aware of Ambassador Pyatt's  
2 statements.

3 MR. WITTMANN: Did you request anything of Ms. Novelli  
4 at this meeting?

5 MS. TRAMONTANO: I did not.

6 MR. WITTMANN: Did Ms. Novelli offer any advice to you?

7 MS. TRAMONTANO: She did not.

8 MR. WITTMANN: Okay. I want to go back to Exhibit No.  
9 2. This is the cover letter from December 2019.

10 [Pause.]

11 MR. WITTMANN: Ms. Tramontano, please let us know when  
12 this appears on your screen.

13 MS. TRAMONTANO: Okay. It's now on my screen.

14 MR. WITTMANN: In the first paragraph that's on your  
15 screen, it mentions the second meeting that you had with Mr.  
16 Hochstein on March 24, 2016.

17 MS. TRAMONTANO: Yes.

18 MR. WITTMANN: Okay. According to this letter, you and  
19 Mr. Buretta attended the meeting with Mr. Hochstein. Did  
20 anyone else attend this meeting?

21 MS. TRAMONTANO: I'm sorry if there's a  
22 misunderstanding, but the second meeting, I did not attend  
23 the second meeting with Mr. Hochstein. It was Sally  
24 Painter--

25 MR. WITTMANN: Okay.

1 MS. TRAMONTANO: --if you look at the line, the  
2 sentence above, "While Sally Painter attended the meeting,  
3 the counsel led the briefing--"

4 MR. WITTMANN: Okay. Thank you for--

5 MS. TRAMONTANO: --the first meeting.

6 MR. WITTMANN: Okay. Thank you for clarifying that.

7 MS. TRAMONTANO: No, that's fine.

8 MR. WITTMANN: Did you receive any debrief from this  
9 meeting?

10 MS. TRAMONTANO: I don't recall having received a  
11 debrief.

12 MR. WITTMANN: Do you know what was discussed at this  
13 meeting?

14 MS. TRAMONTANO: I don't recall. I mean, I wasn't in  
15 the meeting, so--

16 MR. WITTMANN: In the cover letter it talks about  
17 Burisma's counsel, Mr. Buretta, attending. It is fair to  
18 say that that meeting was about Burisma?

19 MS. TRAMONTANO: Yes, the meeting was about Burisma,  
20 and as the letter said, Sally attended the meeting--Sally  
21 painter attended the meeting, but John Buretta led the  
22 briefing.

23 MR. WITTMANN: Could you explain what that means? Did  
24 he provide some sort of presentation?

25 MS. TRAMONTANO: I wasn't in the meeting.

1 MR. WITTMANN: Understood, but the letter that you  
2 submitted to the Committee talks about how Mr. Buretta led  
3 the meeting, and we're just seeking clarification on what  
4 that means.

5 MS. TRAMONTANO: Well, I think it speaks for itself,  
6 but he led the briefing, so he was providing a briefing to  
7 Mr. Hochstein.

8 MR. WITTMANN: Why did Blue Star want to meet with Mr.  
9 Hochstein a second time?

10 MS. TRAMONTANO: When we met with him the first time,  
11 in December, we had agreed that we were going to follow up  
12 with him. I think that was the genesis of the second  
13 meeting.

14 MR. WITTMANN: And were there any developments between  
15 the first meeting and the second meeting regarding Mr.  
16 Hochstein's position or view of Burisma?

17 MS. TRAMONTANO: Not that I'm aware of.

18 MR. WITTMANN: Had there been any developments  
19 regarding what Blue Star believed the U.S. Government's  
20 position on Burisma was at the time?

21 MS. TRAMONTANO: We were still in the position of  
22 knowing what Ambassador Pyatt's statements were, and as I  
23 said, with what Mr. Hochstein's statements were. And the  
24 only other thing that we learned, which is what I just  
25 referred to, is that Cathy--I'm sorry, Under Secretary

1 Novelli, was unaware of Ambassador Pyatt's statements and  
2 was, you know, unaware of Burisma.

3 MR. WITTMANN: Was that--and just to confirm, was that  
4 discussed at this meeting, what Under Secretary Novelli's  
5 perspective or lack thereof regarding Burisma was?

6 MS. TRAMONTANO: I wasn't in the meeting, but you asked  
7 me did we learn anything further between these dates, so I  
8 was just sharing with you what we had learned. But I was  
9 not in the meeting so I can't tell you what was discussed in  
10 the meeting.

11 MR. WITTMANN: Do you know if Mr. Hochstein's  
12 perspective of Burisma had changed?

13 MS. TRAMONTANO: I have no knowledge of whether his  
14 perspective has changed.

15 MR. WITTMANN: Do you know whether the Prosecutor  
16 General's Office was discussed at this meeting?

17 MS. TRAMONTANO: I don't know whether it was.

18 MR. WITTMANN: Did Blue Star request anything of Mr.  
19 Hochstein at this meeting?

20 MS. TRAMONTANO: I wasn't at the meeting, but I know we  
21 made no request of the U.S. Government so I do not believe  
22 we would have asked anything of Mr. Hochstein.

23 MR. WITTMANN: Do you know if Mr. Hochstein offered any  
24 advice to Blue Star at this meeting?

25 MS. TRAMONTANO: Not that I'm aware of.

1 MR. WITTMANN: Did you engage in any preparations ahead  
2 of this meeting?

3 MS. TRAMONTANO: No, I did not. I did not engage in  
4 any preparations before this meeting.

5 MR. WITTMANN: Do you know if any preparations, any  
6 briefing materials were put together for this meeting?

7 MS. TRAMONTANO: No. Yeah, because I wasn't in the  
8 meeting, you know, I wouldn't have any knowledge of that.

9 MR. WITTMANN: Okay. I'm going to enter in, as Exhibit  
10 6, into the record. Tab 10 please, Will.

11 [Tramontano Exhibit No. 6  
12 marked for identification.]

13 MR. WITTMANN: And Will, if you could scroll down. Ms.  
14 Tramontano, do you see this email on your screen?

15 MS. TRAMONTANO: Yes. It's moving, but I do see it,  
16 yes.

17 MR. WITTMANN: Okay. I'm going to ask a couple of  
18 questions on the March 20, 2016, email that you sent. That  
19 should appear on your screen now. It goes on to the next  
20 page, so please let us know when you're ready for us to  
21 scroll down.

22 MS. TRAMONTANO: Okay. Can you go back? I'm a slow  
23 reader. Sorry.

24 MR. WITTMANN: That's okay.

25 [Pause.]

1 MS. TRAMONTANO: So does it end with, "Sally, what do  
2 you think?" Is that the end of the email?

3 MR. WITTMANN: Will, please scroll up.

4 MS. TRAMONTANO: Or is there more? Oh, thank you.

5 MR. WITTMANN: Sure.

6 MS. TRAMONTANO: Okay.

7 MR. WITTMANN: On March 20, 2016, you sent an email to  
8 your colleagues about Vadym's--and I'm sorry if I'm  
9 pronouncing that incorrectly--upcoming trip to Washington,  
10 D.C. on March 29, 2016. In the email you mention that Vadym  
11 would like to just stop by to see Hunter, no more than 30  
12 minutes, because he does not have an agenda.

13 Why was Vadym traveling to Washington, D.C.?

14 MS. TRAMONTANO: If my recollection serves me  
15 correctly, President Poroshenko was coming to the U.S. to  
16 give a speech, and the U.S.-Ukraine Business Council was  
17 hosting a reception. So Vadym was coming to Washington to  
18 attend both the remarks and the reception. Assuming I get  
19 my dates right, I think that's why he was coming.

20 MR. WITTMANN: Why did Vadym want to meet with Hunter  
21 Biden?

22 MS. TRAMONTANO: Hunter was on the board.

23 MR. WITTMANN: And what was Vadym's position in  
24 Burisma?

25 MS. TRAMONTANO: Vadym was the advisor to the board of

1 directors.

2 MR. WITTMANN: Did Vadym know Hunter Biden?

3 MS. TRAMONTANO: I'm sure he did.

4 MR. WITTMANN: How did you come to learn that Vadym  
5 wanted to meet with Mr. Biden?

6 MS. TRAMONTANO: Well, I think as I said in this email,  
7 I had a conversation with him, and we were putting his  
8 agenda together. And he indicated he wanted to meet with  
9 Hunter Biden.

10 MR. WITTMANN: How often did Vadym or other employees at  
11 Burisma meet with Hunter Biden?

12 MS. TRAMONTANO: Well, I have no knowledge of how often  
13 they met. You know, what we, you know, submitted to the  
14 committee were a couple of meetings where we were putting  
15 his agenda together, and he indicated that he wanted to meet  
16 with Hunter. But I have no way of--no way of knowing how  
17 many times he met with Hunter.

18 MR. WITTMANN: Did Blue Star help facilitate those  
19 meetings for Vadym?

20 MS. TRAMONTANO: I don't know what you mean by  
21 facilitate.

22 MR. WITTMANN: Work with scheduling?

23 MS. TRAMONTANO: Yeah. Somebody on my staff would call  
24 the office and inquire about Hunter's availability.

25 MR. WITTMANN: In that same--in the same email, you

1 mentioned that on March 30th, 2016, the evening will be  
2 focusing on the pull-aside with President Poroshenko. What  
3 did you mean by this?

4 MS. TRAMONTANO: That we were trying to get a pull-  
5 aside with President Poroshenko.

6 MR. WITTMANN: Does that just mean a moment to speak  
7 with him? Is that what pull-aside means?

8 MS. TRAMONTANO: Yeah. That's sort of the common  
9 definition of it, I think. Yeah.

10 MR. WITTMANN: Okay. Did you speak with President  
11 Poroshenko on March 30th, 2016?

12 MS. TRAMONTANO: I did not.

13 MR. WITTMANN: Was anyone from Blue Star able to talk  
14 to Mr. Poroshenko that evening?

15 MS. TRAMONTANO: Sally Painter did.

16 MR. WITTMANN: And what did she discuss with him?

17 MS. TRAMONTANO: She told him we were going to be in  
18 Ukraine, and he motioned to Ambassador Chaly to help with  
19 any meetings we may need. And that was it.

20 MR. WITTMANN: Do you know if Ms. Painter mentioned  
21 Hunter Biden's role on Burisma's board in her conversation  
22 with President Poroshenko?

23 MS. TRAMONTANO: She did not.

24 MR. WITTMANN: Did President Poroshenko know Ms.  
25 Painter?

1 MS. TRAMONTANO: No.

2 MR. WITTMANN: Did she know that Burisma was a client  
3 of Ms. Painter's?

4 MS. TRAMONTANO: I do not believe that President  
5 Poroshenko knew that Burisma was a client of Blue Star  
6 Strategies, no.

7 MR. WITTMANN: Just one moment, please.

8 MS. TRAMONTANO: Sure.

9 [Pause.]

10 MR. WITTMANN: Ms. Tramontano, I just want to clear  
11 something up for the record. What specifically did Ms.  
12 Painter ask President Poroshenko or request of him?

13 MS. TRAMONTANO: She didn't ask--she didn't ask  
14 President Poroshenko anything nor did she request anything  
15 of him. As I recall, because I was standing next to her,  
16 she introduced herself and told President Poroshenko that we  
17 would be going to Ukraine, and he unsolicited called--  
18 motioned to Ambassador Chaly and said, you know, please help  
19 them with any meeting request they may have.

20 MR. WITTMANN: And did you speak to Ambassador Chaly at  
21 that point in time after President Poroshenko called him  
22 over?

23 MS. TRAMONTANO: We did not speak to him at the  
24 reception, no.

25 MR. WITTMANN: Did you have any other conversations

1 with Ambassador Chaly following this event?

2 MS. TRAMONTANO: As we submitted to the committee, we  
3 sent an email, I believe, to the ambassador recalling what  
4 President Poroshenko had said and said we were seeking  
5 meetings, and I think we--my recollection of the document or  
6 the email lists, you know, a half a dozen--a half a dozen  
7 meetings with various ministries that we were seeking.

8 MR. WITTMANN: And were you seeking these meetings on  
9 behalf of Burisma?

10 MS. TRAMONTANO: There was only meeting we were seeking  
11 on behalf of Burisma, and that was a meeting with the  
12 general prosecutor's office.

13 MR. WITTMANN: And why did you want to meet with the  
14 general prosecutor's office?

15 MS. TRAMONTANO: Because there were a number of pending  
16 cases against the company, and the prosecutor general at  
17 that time, who I believe was Shokin--it may have changed to  
18 Sevruk--they were taking no action on them, and those cases  
19 were just hanging over the company's head. And we wanted to  
20 have a meeting to understand what their--you know, what the  
21 prosecutor general's next steps were. Were they going to  
22 prosecute, or what actions were they going to take?

23 MR. WITTMANN: What type of cases were pending?

24 MS. TRAMONTANO: Oh, there were--I mean, I don't recall  
25 at this time, but there were tax cases. There were a number

1 of cases that were pending.

2 MR. WITTMANN: Do you know when those cases were open?

3 MS. TRAMONTANO: They were open at various times over a  
4 period of years. Some had been pending for quite some time.

5 MR. WITTMANN: What was the most recent case? When was  
6 that open?

7 MS. TRAMONTANO: You know, I don't--I don't know. I  
8 don't recall.

9 MR. WITTMANN: Do you know what prosecutor general  
10 opened those cases?

11 MS. TRAMONTANO: Oh, I mean, the prosecutor--the cases  
12 went--the cases were open before Shokin. To the best of my  
13 recollection, many of the cases were open before Shokin.  
14 Sevruk was only there a short period of time. My  
15 recollection is the cases had been--has been pending without  
16 action for, you know, years.

17 MR. WITTMANN: And Sevruk was the prosecutor general  
18 that came after Shokin; is that correct?

19 MS. TRAMONTANO: He was the acting prosecutor general,  
20 and I believe he was in the post for--as acting. He was  
21 never nominated to the Rada. So I believe he was in the  
22 post for, you know, maybe 60 days, maybe less.

23 MR. WITTMANN: I want to enter in our next exhibit.  
24 This is Exhibit No. 7.

25 Tab 12, please, Will.

1 [Tramontano Exhibit No. 7  
2 marked for identification.]

3 MR. WITTMANN: Ms. Tramontano, this is a briefing book  
4 that--for Vadym, for his meetings that we discussed earlier,  
5 but I just want to bring your attention to a specific  
6 meeting that we can scroll to on page 129.

7 This is a March 31st--is this on your screen, Ms.  
8 Tramontano?

9 MS. TRAMONTANO: Yes, it is. I'm sorry. I should have  
10 said that. Yep.

11 MR. WITTMANN: Okay. This is a March 31st, 2016,  
12 meeting scheduled for Vadym with Hunter Biden at Rosemont  
13 Seneca Partners' offices in Washington. You're listed as  
14 the staffer of this meeting. Did this meeting occur?

15 MS. TRAMONTANO: I believe it did occur, yeah.

16 MR. WITTMANN: Okay. Did you attend this meeting?

17 MS. TRAMONTANO: I did not.

18 MR. WITTMANN: Did anyone else from Blue Star attend  
19 this meeting?

20 MS. TRAMONTANO: No. No one did. We didn't attend  
21 those meetings.

22 MR. WITTMANN: Do you know why you were listed as the  
23 staffer for the meeting if you did not attend?

24 MS. TRAMONTANO: Yes. Because when we--when we have  
25 our staff prepare briefing books, there should always be

1 somebody listed if something, you know, were to go wrong or  
2 somebody needs to be contacted, and so we just try to have a  
3 staff person listed.

4 MR. WITTMANN: Did anyone from Blue Star accompany  
5 Vadym to the meeting or drive him to the meeting and then  
6 pick him up afterwards?

7 MS. TRAMONTANO: No.

8 MR. WITTMANN: Do you know what was discussed at this  
9 meeting?

10 MS. TRAMONTANO: I do not.

11 MR. WITTMANN: We're going to go to the next exhibit.  
12 I will enter it in as Exhibit 8.

13 Tab 13, Will. 138, please, Will.

14 [Tramontano Exhibit No. 8  
15 marked for identification.]

16 MR. WITTMANN: Ms. Tramontano, this is a briefing book  
17 for Mr. Archer.

18 MS. TRAMONTANO: Uh-huh.

19 MR. WITTMANN: This is another--this is a March 31st,  
20 2016, meeting, which appears to be the same time as Vadym's  
21 scheduled meeting with Mr. Biden. In Mr. Archer's briefing  
22 book, he is also scheduled to meet with Mr. Biden, and if we  
23 scroll down just a little bit to the next page, you are also  
24 listed as the staffer for this meeting.

25 Do you know if Mr. Archer attended the same meeting

1 with Vadym and Hunter Biden?

2 MS. TRAMONTANO: I do not know.

3 MR. WITTMANN: Was it your understanding at the time  
4 that this briefing booklet was put together that Mr. Archer  
5 would attend the meeting between Vadym and Mr. Biden?

6 MS. TRAMONTANO: That was not my understanding.

7 MR. WITTMANN: What was your understanding?

8 MS. TRAMONTANO: My understanding was that Vadym was  
9 meeting with Mr. Biden.

10 MR. WITTMANN: Do you know why this meeting is listed  
11 between Mr. Archer and Mr. Biden in Mr. Archer's briefing  
12 book?

13 MS. TRAMONTANO: Well, Mr. Archer being a board member,  
14 we would have made him aware of what meetings were on the  
15 schedule.

16 MR. WITTMANN: Meetings with--that Vadym was taking?

17 MS. TRAMONTANO: Yes, that's correct.

18 MR. WITTMANN: And did you provide this briefing book  
19 to any other board members?

20 MS. TRAMONTANO: No. The briefing book was prepared  
21 for Vadym and for Devon--Mr. Archer and Mr. Pozharskiy.

22 MR. WITTMANN: Why were they only provided to those two  
23 individuals?

24 MS. TRAMONTANO: Because Mr. Archer attended the  
25 speech, and Mr. Archer attended the reception. And as I

1 recall, Mr. Archer attended the U.S.-Ukraine Business  
2 Council briefing that Vadym Pozharskiy gave, and as I  
3 recall, he may have attended one or more of the  
4 congressional meetings. And that's why he had a briefing  
5 book.

6 MR. WITTMANN: We're going to go back to Exhibit No. 2.  
7 Tab 2, please, Will. We're going to go to page 4,  
8 please, Will.

9 And, Ms. Tramontano, just let me know when this is on  
10 your screen and when you're ready for me to ask a question.

11 MS. TRAMONTANO: I can't see the page number. So is  
12 this the page that says, finally, I want to assure the  
13 committees' chairmen?

14 MR. WITTMANN: Yes, that's correct.

15 MS. TRAMONTANO: Okay.

16 MR. WITTMANN: This is the final page and the cover  
17 letter that we've referenced earlier. In this paragraph  
18 that you wrote, I want to assure the committees' chairmen  
19 that at no time did I or anyone else in the firm working on  
20 behalf of Burisma collaborate or coordinate the development  
21 of implementation of our work with Hunter Biden.

22 You also noted Mr. Biden played no role in Blue Star  
23 Strategies' work on behalf of Burisma either in its limited  
24 scope in the U.S. or its more extensive scope in Ukraine.

25 If Mr. Hunter Biden played no role in Blue Star's work

1 on behalf of Burisma, why did Blue Star schedule or arrange  
2 a meeting between Hunter Biden and Vadym?

3 MS. TRAMONTANO: Vadym represented our client, Burisma,  
4 and he asked for a meeting with Burisma's board member,  
5 Hunter Biden. Since we were putting Vadym's schedule  
6 together, he asked if we would find the availability of Mr.  
7 Biden to meet with him. That's what we did.

8 MR. WITTMANN: Did you schedule any other meetings  
9 between Vadym and Mr. Biden?

10 MS. TRAMONTANO: Well, if my memory serves me--and the  
11 committee should have this--there is at least one other  
12 briefing book where Vadym came to Washington, and since we  
13 were putting his schedule together, he asked if we would  
14 find out Mr. Biden's availability on the days that Vadym was  
15 there to meet him.

16 MR. WITTMANN: When Vadym-

17 MS. TRAMONTANO: I believe that that's--there's one--I  
18 believe that there's one other briefing book that would  
19 indicate that, although there may be--there may be two. I  
20 mean, I--we submitted a lot of documents.

21 MR. WITTMANN: Okay.

22 MS. TRAMONTANO: So I can't be 100 percent sure if it's  
23 only one.

24 MR. WITTMANN: Okay. When Vadym traveled to the United  
25 States, did he request that Blue Star schedule meetings with

1 other board members besides Mr. Biden?

2 MS. TRAMONTANO: Yes, he did.

3 MR. WITTMANN: And who were those other board members?

4 MS. TRAMONTANO: Mr. Cofer Black, and Devon, Devon  
5 Archer, would have--would have been the only other person  
6 who we would have, you know, reached out to, letting him  
7 know that Vadym was coming to Washington if Vadym wanted to  
8 meet with him.

9 And I think, you know, there--I think in the documents  
10 we submitted to the committee, there would be a briefing  
11 book that included a meeting or perhaps two meetings with  
12 Mr. Cofer Black.

13 MR. WITTMANN: We're going to turn--we're going to  
14 enter into the record Exhibit 9.

15 Tab 14, please.

16 [Tramontano Exhibit No. 9  
17 marked for identification.]

18 MR. WITTMANN: Ms. Tramontano, let me know when you can  
19 see this on your screen, and we will scroll up.

20 MS. TRAMONTANO: Yeah. It's on the screen, so you  
21 could--

22 MR. WITTMANN: Just let us know when you'd like--

23 MS. TRAMONTANO: But it's kind of--

24 MR. WITTMANN: I'm sorry.

25 MS. TRAMONTANO: Could you scroll down to the beginning

1 because it's--

2 MR. WITTMANN: Sure.

3 MS. TRAMONTANO: It's in the middle of the page. Does  
4 it start with most sincerely, Karen, or--

5 MR. WITTMANN: So that--so this is--this is the  
6 beginning of the document on this page.

7 MS. TRAMONTANO: Okay.

8 MR. WITTMANN: And we can--just let us know when you'd  
9 like us to scroll up.

10 MS. TRAMONTANO: Okay. Yeah. If you could scroll up,  
11 that would be helpful.

12 MR. WITTMANN: Okay.

13 [Pause.]

14 MS. TRAMONTANO: Okay. Is there a part before--this  
15 says Dear Sally and Karen, it was nice seeing you at the  
16 embassy. This is my email, and with regards, Andrii  
17 Telizhenko. Is that what you're asking about?

18 MR. WITTMANN: We're going to keep scrolling up,  
19 please, Will.

20 MS. TRAMONTANO: Oh. Oh, okay. Great.

21 MR. WITTMANN: And my question is going to relate to  
22 this, to your email, actually. So let me know when you're  
23 ready.

24 MS. TRAMONTANO: Okay. I'm ready.

25 MR. WITTMANN: Okay.

1 MS. TRAMONTANO: I'm just going to read it just for one  
2 second.

3 MR. WITTMANN: Yeah, sure.

4 [Pause.]

5 MS. TRAMONTANO: Okay.

6 MR. WITTMANN: Okay. On March 22nd, 2016, Mr.  
7 Telizhenko emailed you and Ms. Painter, commenting on your  
8 visit to the Ukraine embassy and thanking you for your help.  
9 At this point in time, where does--where is Mr. Telizhenko  
10 working?

11 MS. TRAMONTANO: So I'm sorry. I didn't see the email  
12 where he thanks us for our help. I was reading the email.  
13 I thought you wanted me to read the--

14 MR. WITTMANN: Sure. We'll scroll--we can scroll down  
15 on the screen.

16 MS. TRAMONTANO: Okay. I mean, I just didn't read--I  
17 didn't read that. You told me to read the one that I wrote.

18 MR. WITTMANN: Oh, sure.

19 MS. TRAMONTANO: Okay. Okay. Great. So you can just  
20 scroll back up to my email. I think that what you want to  
21 ask me a question on, right?

22 MS. TRAMONTANO: So my first question was, at this  
23 point in time, where is Mr. Telizhenko working? Who does he  
24 work for?

25 MS. TRAMONTANO: He was working at the embassy.

1 MR. WITTMANN: And--

2 MS. TRAMONTANO: That's where we met him.

3 MR. WITTMANN: Okay. And did you meet him at a meeting  
4 around this time period?

5 MS. TRAMONTANO: Yes. Sally and I requested--and  
6 again, this is in the documents. I think all the requests  
7 are there. Sally and I, I think, initially had requested a  
8 meeting with the ambassador. He wasn't available. There's  
9 several emails going back and forth, and we met with the--I  
10 think--I think she was the DCM at the time, and Andrii  
11 Telizhenko was--as I recall was in that meeting.

12 MR. WITTMANN: And who was the woman that you met with?  
13 What was her name?

14 MS. TRAMONTANO: Yeah. I wish I could remember. I'm  
15 sorry. It's--

16 MR. WITTMANN: Was it Oksana Shulyar?

17 MS. TRAMONTANO: Yes.

18 MR. WITTMANN: Does that refresh your recollection?

19 MS. TRAMONTANO: It was. Thanks.

20 MR. WITTMANN: Okay.

21 MS. TRAMONTANO: Yes. It helped.

22 MR. WITTMANN: And Mr. Telizhenko attended this  
23 meeting; is that correct?

24 MS. TRAMONTANO: Yes. I believe he did. Yeah.

25 MR. WITTMANN: In this email chain, the email that you

1 see on your screen right now, you responded to Mr.  
2 Telizhenko, Sally and I will be in Kyiv, April 6th, 7th, and  
3 8th. The attorney from the U.S., John Buretta, who has  
4 reviewed the matter we discussed, and I would like to meet  
5 with the general prosecutor on April 5th, preferably in the  
6 afternoon.

7           What was the matter you discussed with Mr. Telizhenko  
8 that you referenced in this email?

9           MS. TRAMONTANO: The matter we discussed is what I had  
10 referred to before, that there were many cases pending at  
11 the office of the prosecutor general, and we wanted to learn  
12 whether the prosecutor general had any next steps for these  
13 cases or were they, you know, not going to, you know,  
14 continue to do what they had done and have them just linger.  
15 And that was the matter that we had discussed, best of my  
16 recollection.

17           MR. WITTMANN: And did you--I'm sorry. Thank you.

18           Did you specify to Mr. Telizhenko that these cases had  
19 to deal with Burisma?

20           MS. TRAMONTANO: I don't--I don't think we had a--at  
21 least I don't recall a specific discussion about specific  
22 cases. As I said, there were a range of cases that were  
23 pending against the company.

24           MR. WITTMANN: So at this point in this discussion that  
25 you referenced with Mr. Telizhenko, you had not brought up

1 Burisma specifically?

2 MS. TRAMONTANO: Oh. No, we had--I'm sorry. To be  
3 clear, yes, we had brought up Burisma, and my--we did not  
4 bring up, you know, specific cases that were pending.

5 MR. WITTMANN: I understand. And did you just bring up  
6 Burisma to Mr. Telizhenko, or did this come up in your  
7 meeting with Ms. Shulyar?

8 MS. TRAMONTANO: It came up in our meeting with Ms.  
9 Shulyar that Mr. Telizhenko attended. We had the meeting to  
10 inform them of the clients we had, including Burisma, and  
11 the meetings that we were seeking. So, yes, it came up in  
12 that discussion.

13 MR. WITTMANN: Was Mr. Telizhenko in a position to help  
14 you to arrange a meeting or schedule a meeting with the  
15 prosecutor general on your behalf?

16 MS. TRAMONTANO: The embassy offered their assistance  
17 and Mr. Telizhenko's assistance, which was delivering a  
18 letter to the prosecutor general and following up to  
19 coordinate the dates.

20 MR. WITTMANN: At the meeting with Ms. Shulyar and Mr.  
21 Telizhenko, when you raised Burisma, did either of them have  
22 awareness of the company?

23 MS. TRAMONTANO: I mean, I don't specifically recall.

24 MR. WITTMANN: Did anyone else either in the embassy or  
25 Blue Star attend this meeting?

1 MS. TRAMONTANO: Sally Painter attend the meeting. I  
2 believe it was the both of--both of us attended that  
3 meeting. If my memory serves me, I think we were both  
4 there. There wasn't anybody else there.

5 MR. WITTMANN: Did either Ms. Shulyar or Mr. Telizhenko  
6 know the prosecutor general personally?

7 MS. TRAMONTANO: When we met with them, the prosecutor  
8 general was Mr. Shokin, and I have no knowledge as to  
9 whether either of them knew Mr. Shokin.

10 Shortly thereafter, Mr. Shokin was fired, and Mr.  
11 Sevruk was named acting prosecutor general. And I have no  
12 idea whether either of them knew Mr. Sevruk personally.

13 MR. WITTMANN: One moment, please.

14 MS. TRAMONTANO: Sure.

15 MR. WITTMANN: At the meeting with Ms. Shulyar and Mr.  
16 Telizhenko, did either one of them offer any indication  
17 about Mr. Shokin and any issues he might be having in the  
18 upcoming days?

19 MS. TRAMONTANO: What I recall--what I recall being  
20 said by the DCM was that President Poroshenko was changing  
21 his cabinet officials, and that before we started requesting  
22 meetings, we should wait. But it was a reference to  
23 changing cabinet officials.

24 MR. WITTMANN: And that reference to telling you to  
25 wait, was that--who made--who told you this?

1 MS. TRAMONTANO: The DCM.

2 MR. WITTMANN: Okay. At this meeting?

3 MS. TRAMONTANO: Yes, it was at that meeting.

4 MR. WITTMANN: Okay. When did you meet with Mr.  
5 Sevruk?

6 MS. TRAMONTANO: So it's in the--it's in the records  
7 that we submitted to the committee. I don't have the  
8 specific date in front of me, but I believe it was in April  
9 of 2016.

10 MR. WITTMANN: And did you make any requests of Mr.  
11 Sevruk's office at this meeting?

12 MS. TRAMONTANO: We did not make any request of his  
13 office.

14 MR. WITTMANN: Did you discuss the issue relating to  
15 Burisma and the pending cases?

16 MS. TRAMONTANO: We did. John Buretta led the  
17 discussion, the substance of which were there were--and  
18 these cases had lingered a long time. Some of the cases  
19 relied on the factual predicate that was disproven in the UK  
20 case, and we--you know, and he was trying to engage in  
21 learning what the prosecutor general's--or acting prosecutor  
22 general's plans were with regard to these pending cases.

23 MR. WITTMANN: At this meeting with Mr. Sevruk, did you  
24 discuss the previous prosecutor general, Victor Shokin?

25 MS. TRAMONTANO: We did not.

1 MR. WITTMANN: Did Mr. Sevruk discuss or mention the  
2 previous prosecutor general, Victor Shokin?

3 MS. TRAMONTANO: Not in my memory, no. I don't believe  
4 he did.

5 MR. WITTMANN: Was he aware of Burisma when you met  
6 with him in April 2016?

7 MS. TRAMONTANO: Honestly, it was difficult to  
8 determine. His English was not very--not very good. As I  
9 said before, you know, my Ukrainian is nonexistent, and my  
10 Russian is nonexistent. And neither Sally nor John spoke  
11 either language. The translator that was in the room, let's  
12 just say it was not--I would not call it a productive  
13 dialogue in any way.

14 MR. WITTMANN: Did Mr. Telizhenko attend this meeting?

15 MS. TRAMONTANO: He did not.

16 MR. WITTMANN: Did you debrief him following the  
17 meeting?

18 MS. TRAMONTANO: We did not.

19 MR. WITTMANN: Did he request any information from you  
20 about the meeting?

21 MS. TRAMONTANO: He did not.

22 MR. WITTMANN: Did you leave the meeting with better--  
23 would you say you left the meeting with any insight into the  
24 PGO's view of Burisma following the meeting?

25 MS. TRAMONTANO: I had--we left the meeting with no

1 additional insight as to the PGO's next steps that were  
2 under consideration regarding Burisma.

3 MR. WITTMANN: Just one moment, please.

4 MS. TRAMONTANO: Sure.

5 [Pause.]

6 MR. WITTMANN: Zack, we're going to have a new line of  
7 questioning coming up. SO this might be a good time, and I  
8 think we only have a few minutes left in our time. So we're  
9 happy to hand it over to you, Zack, if you're ready to go,  
10 or, Ms. Tramontano, if you would like a break, please let us  
11 know.

12 MS. TRAMONTANO: I'm fine. Thank you.

13 MR. SCHRAM: Scott, do you know how many more rounds  
14 you expect?

15 MR. WITTMANN: Not at the moment, Zack. I know that  
16 we're going to have at least one more round, but we're still  
17 trying to--hopefully, we'll have a better idea after the  
18 next round.

19 MR. SCHRAM: All right. It's 2:45 now. Give us five  
20 to plan for how the rest of the afternoon goes. We might  
21 not have much more to add, but let's come back at 2:50. And  
22 we'll suggest a course of action.

23 MR. WITTMANN: Okay.

24 MS. TRAMONTANO: Thank you.

25 MR. WITTMANN: Does that work for you, Ms. Tramontano?

1 MS. TRAMONTANO: Sorry. Yes.

2 [Recess.]

3 MR. FOLIO: Zack, we'll be turning it over to you for a  
4 few questions, but I just had a logistical thing I wanted to  
5 highlight. So we've looked at where we are in the outline,  
6 Ms. Tramontano, Peter, and everyone else, and I think that  
7 we have a fair amount of information left to cover. And I  
8 know, Peter, that you had highlighted trying to wrap up by  
9 4:00. So I don't think that we'll be able to conclude today  
10 and then walk through all the documents that are prepared to  
11 talk about. So I just wanted to flag for you that, you  
12 know, we'll do our next round of questioning but I just  
13 don't think we'll be able to conclude today. So we'll do  
14 our best to stop right on 4:00, and then we'll talk about  
15 what's left to do.

16 MR. KADZIK: Well, if you need to go until 4:30, Ms.  
17 Tramontano has something then, but we'd ask you to wrap up  
18 by 4:30.

19 MR. FOLIO: We were thinking that as well, that if we  
20 could get it done between 4 and 4:30, ask you to forge  
21 ahead. Unfortunately, I think that there's just more than  
22 that that we would need to cover, so it's probably cleaner  
23 just to shoot for 4:00 wrap-up and talk about another day.

24 MR. KADZIK: Yeah. I wouldn't be too sure about  
25 talking about it another day, quite frankly. I think six

1 and a half hours is more than enough time for you to  
2 finishing your question, and that's about all we're willing  
3 to provide.

4 MR. FOLIO: Well, I think that's a bridge we'll have to  
5 cross.

6 MR. KADZIK: Okay.

7 MR. FOLIO: I mean, we're happy to go until 4:30, but  
8 just--

9 MR. KADZIK: Yeah. Let's go to 4:30. That would be  
10 great.

11 MR. FOLIO: Okay. That's fine. It doesn't change our  
12 position that we anticipate it taking longer, but we'll do  
13 that. Thanks.

14 All right, Zack.

15 MR. SCHRAM: Ms. Tramontano, did you ever consult with  
16 Vice President Biden as part of your representation of  
17 Burisma?

18 MS. TRAMONTANO: No. No, never.

19 MR. SCHRAM: Did Vice President Biden ever direct your  
20 strategy with respect to representing Burisma?

21 MS. TRAMONTANO: No. Not at all.

22 MR. SCHRAM: Did Vice President Biden ask you to take a  
23 meeting with the Prosecutor General's Office with respect to  
24 Burisma?

25 MS. TRAMONTANO: Never.

1 MR. SCHRAM: On behalf of Burisma?

2 MS. TRAMONTANO: No.

3 MR. SCHRAM: Are allegations to the contrary false?

4 MS. TRAMONTANO: Any allegations that we had any  
5 conversations with the Vice President about Burisma are  
6 absolutely false.

7 MR. SCHRAM: What about allegations with respect to  
8 advocating on behalf of the Vice President's interest in  
9 your dealings with Burisma?

10 MS. TRAMONTANO: It's absolutely false.

11 MR. SCHRAM: The majority spent hours reviewing  
12 meetings that you had with Obama administration officials.  
13 Did you continue to represent Burisma to Trump officials,  
14 Trump administration officials?

15 MS. TRAMONTANO: Yes, we did. We had many meetings  
16 with officials in the Trump administration.

17 MR. SCHRAM: Did any Trump administration officials  
18 speak at events that you sponsored or organized?

19 MS. TRAMONTANO: Yes. The Deputy Assistant Secretary  
20 spoke at one of the conferences in Monaco, I believe in 2018  
21 or 2019. I don't have the documents in front of me, but it  
22 was during the Trump administration. It was the Deputy  
23 Assistant Secretary.

24 MR. SCHRAM: At previous conferences in Monaco had you  
25 invited Obama administration officials to participate?

1 MS. TRAMONTANO: I don't believe we invited any Obama  
2 administration officials to participate.

3 MR. SCHRAM: Did any Obama administration officials  
4 ever participate under their own volition?

5 MS. TRAMONTANO: No, they did not.

6 MR. SCHRAM: So how did it come to pass that a Trump  
7 administration official participated in the conference in  
8 Monaco?

9 MS. TRAMONTANO: He reached out to--actually, he  
10 reached out to our offices and he reached out to Burisma  
11 directly, that he wanted to be on one of the panels.

12 MR. SCHRAM: Nothing else from us.

13 MR. BRADY: Hi, Ms. Tramontano. My name is Quinton  
14 Brady. I'm with Chairman Grassley's staff. Can you hear me  
15 okay?

16 MS. TRAMONTANO: Yes, I can. Thank you.

17 MR. BRADY: Great. I just want to reiterate our  
18 appreciation for you taking the time today. I just have two  
19 quick questions for you.

20 MS. TRAMONTANO: Okay. Thank you.

21 MR. BRADY: Did you, Sally Painter, or Blue Star  
22 Strategies ever seek or receive an advisory opinion from the  
23 Department of Justice regarding registering under the  
24 Foreign Agent Registration Act as it pertains to your firm's  
25 representation of Burisma?

1 MS. TRAMONTANO: No, we did not.

2 MR. BRADY: Did not?

3 MS. TRAMONTANO: We did not.

4 MR. BRADY: Did you, Sally Painter, or Blue Star  
5 Strategies ever receive a FARA letter of inquiry from the  
6 Department of Justice as it pertains to your firm's  
7 representation of Burisma?

8 MS. TRAMONTANO: We have not.

9 MR. BRADY: Thank you. That's all for me. I'm going  
10 to pass it over to Brian.

11 MR. DOWNEY: Hi, Ms. Tramontano. How are you?

12 MS. TRAMONTANO: I'm very well, thank you.

13 MR. DOWNEY: When we left off, where Mr. Wittmann was,  
14 we were still in the spring of 2016, so we're going to kind  
15 of continue in that time period, to give you a frame of  
16 reference.

17 MS. TRAMONTANO: Thank you.

18 MR. DOWNEY: This will be Exhibit 10. Will, it's Tab  
19 17, if you could pull that up, please.

20 [Tramontano Exhibit No. 10  
21 marked for identification.]

22 MR. DOWNEY: So on May 25, 2016, you emailed Mr.  
23 Telizhenko about your plans to meet the new Prosecutor  
24 General of Ukraine. You wrote, "We will be sending a letter  
25 to the new Prosecutor General requesting a meeting. Once

1 again, we would like your advice." What advice did you seek  
2 from Mr. Telizhenko?

3 MS. TRAMONTANO: Mostly who to, you know, send the  
4 letter to.

5 MR. DOWNEY: Why did you think Mr. Telizhenko was in a  
6 position to offer the advice you were looking for?

7 MS. TRAMONTANO: Well, he was at the Embassy and so he  
8 would--we thought he would know to whom, you know, to email  
9 the letter. Did the new Prosecutor General, for example,  
10 have a chief of staff? So that's why we asked him the  
11 question.

12 MR. DOWNEY: At this time, in May of 2016, did you  
13 trust Mr. Telizhenko's advice?

14 MS. TRAMONTANO: To the extent that he could tell us to  
15 whom to email a request for a meeting, yes.

16 MR. DOWNEY: Why, in May of 2016, did Blue Star want to  
17 meet with the new Prosecutor General?

18 MS. TRAMONTANO: Same reason as I have articulated  
19 before. There were many pending cases against the company.  
20 Previous Prosecutor Generals had not moved on those cases,  
21 and the company had, either those cases moved to prosecution  
22 or, you know, dispensed with in accordance with rules of  
23 evidence.

24 MR. DOWNEY: So at that point, in May of 2016, was  
25 there any indication that the cases lingering against

1 Burisma and Zlochevsky in the PGO was part of the reason the  
2 U.S. Government viewed Burisma as corrupt?

3 MS. TRAMONTANO: I have no idea what the basis for--  
4 one, I have no idea what the U.S. Government's position was  
5 with regard to Burisma, nor do I have any idea what the  
6 basis for that opinion, should the State Department have had  
7 an opinion.

8 MR. DOWNEY: In this May 25, 2016, email, you also  
9 mentioned that John Buretta would draft a letter requesting  
10 the meeting. Why was this necessary?

11 MS. TRAMONTANO: Well, usually when you're seeking a  
12 meeting you would draft a letter to request it.

13 MR. DOWNEY: And why was it important that it came from  
14 Mr. Buretta and not yourself or Sally Painter at Blue Star?

15 MS. TRAMONTANO: John Buretta had been brought on as  
16 counsel by Burisma, and I thought it was appropriate that  
17 John Buretta send the letter to the Prosecutor General.

18 MR. DOWNEY: And who was the Prosecutor General in May  
19 of 2016?

20 MS. TRAMONTANO: Mr. Lutsenko.

21 MR. DOWNEY: Okay. We're going to enter in Exhibit 11,  
22 which is Tab 18, Will, please.

23 [Tramontano Exhibit No. 11  
24 marked for identification.]

25 MR. DOWNEY: So this is a June 7, 2016, email from Mr.

1 Telizhenko to you, Ms. Tramontano. Mr. Telizhenko wrote, "I  
2 wanted to recommend to, in the official request letter, to  
3 take away Mr. Zlochevsky's company name and his name. Just  
4 request a meeting and put just the topics you wanted to  
5 discuss, except Zlochevsky. I will brief you more when you  
6 come to Kiev, but because the President does not really like  
7 Zlochevsky (he has personal issues), Mr. Lutsenko will deny  
8 the meeting if his name stays in the letter. You can raise  
9 the issue during the meeting, but on the official letters I  
10 would recommend to remove it. I spoke to the chief of  
11 staff. He is ready to meet, but please take off the name of  
12 the company and his name."

13       What was your reaction to Mr. Telizhenko recommending  
14 that you remove all references to your client, Burisma, and  
15 its owner, Mr. Zlochevsky, in your meeting request to Mr.  
16 Lutsenko?

17       MS. TRAMONTANO: Well, I thought it was odd, because  
18 that was the very purpose of the meeting. John's letter was  
19 requesting a meeting to discuss the cases pending against  
20 Burisma.

21       MR. DOWNEY: What was your reaction to Mr. Telizhenko's  
22 statement that the President does not like Mr. Zlochevsky  
23 and that Mr. Lutsenko will deny the meeting if Mr.  
24 Zolchevsky's name stays in your meeting request letter?

25       MS. TRAMONTANO: There was no basis for his statement,

1 and he never articulated what the basis for that statement  
2 was.

3 MR. DOWNEY: Outside of Mr. Telizhenko's statement in  
4 this June 2016 email, did Blue Star have any indication how  
5 President Poroshenko viewed Burisma?

6 MS. TRAMONTANO: We did not.

7 MR. DOWNEY: Was it important to know what Mr.  
8 Poroshenko's view of Burisma was?

9 MS. TRAMONTANO: It was not.

10 MR. DOWNEY: Why not?

11 MS. TRAMONTANO: Because the Prosecutor General was the  
12 person that we were focused on and had the authority to deal  
13 with the pending cases.

14 MR. DOWNEY: Mr. Telizhenko noted that he would brief  
15 you more when you arrived in Kiev. Did Mr. Telizhenko  
16 provide more information about the President's views of Mr.  
17 Zlochevsky when you arrived in Kiev?

18 MS. TRAMONTANO: No. That's what I was referring to.  
19 He never articulated the reasons for that statement.

20 MR. DOWNEY: Did you know what President Poroshenko's  
21 relationship was to Mr. Shokin?

22 MS. TRAMONTANO: I have no personal knowledge of Mr.  
23 Poroshenko's relationship with Mr. Shokin, no.

24 MR. DOWNEY: During your work for Burisma and Mr.  
25 Shokin's removal in the spring of 2016, were you made aware

1 of how that decision, for Mr. Poroshenko to remove Shokin,  
2 came about?

3 MS. TRAMONTANO: I only know what I read in news  
4 reports.

5 MR. DOWNEY: And what was that?

6 MS. TRAMONTANO: Well, the news reports generally  
7 stated that Mr. Shokin was not doing his job as the  
8 Prosecutor General.

9 MR. DOWNEY: Did Burisma view Mr. Shokin as not doing  
10 his job as Prosecutor General?

11 MS. TRAMONTANO: We never had a discussion about that.

12 MR. DOWNEY: You never discussed with Burisma about Mr.  
13 Shokin?

14 MS. TRAMONTANO: We never had a discussion about Mr.  
15 Shokin. By the time we had our meetings with the Prosecutor  
16 General, Mr. Shokin was no longer in office.

17 MR. DOWNEY: Understood. We're going to go to Exhibit  
18 12, and this will be Tab 19, Will.

19 [Tramontano Exhibit No. 12  
20 marked for identification.]

21 MR. DOWNEY: On June 10, 2016, Ms. Tramontano, you  
22 thanked Mr. Telizhenko for his assistance and wrote, "I hope  
23 you received the revised letter. Is there any news to  
24 report? I look forward to seeing you in Kiev. All the  
25 best." Did Blue Star make the changes to the letter that

1 was sent to the Prosecutor General that Mr. Telizhenko  
2 recommended?

3 MS. TRAMONTANO: John Buretta made the changes.

4 MR. DOWNEY: And what changes did Mr. Buretta make?

5 MS. TRAMONTANO: As I recall, and I believe this  
6 document is in the submission, he changed the agenda items  
7 to take the name of the company off the agenda items.

8 MR. DOWNEY: So Mr. Buretta followed Mr. Telizhenko's  
9 advice?

10 MS. TRAMONTANO: He took the references off the agenda.  
11 I don't think there was any change to the letter.

12 MR. DOWNEY: Understood. We're going to go to Exhibit  
13 13, which is Tab 21, will.

14 [Tramontano Exhibit No. 13  
15 marked for identification.]

16 MR. DOWNEY: According to your calendar, on June 22,  
17 2016, you were schedule to meet the Prosecutor in Kiev. Did  
18 this meeting occur?

19 MS. TRAMONTANO: Yeah. I had a meeting with--John  
20 Buretta and I had a meeting with Prosecutor General  
21 Lutsenko.

22 MR. DOWNEY: Did anyone else attend the meeting besides  
23 you and Mr. Buretta?

24 MS. TRAMONTANO: Vadym Pozharskiy was in the meeting,  
25 and the meeting was actually set up--Mr. Telizhenko could

1 never get the meeting to be scheduled, so the meeting was  
2 actually scheduled with the help of a parliamentarian. And  
3 I just honestly don't recall whether the parliamentarian was  
4 in that meeting. I don't believe that he was.

5 MR. DOWNEY: Do you remember the name of that  
6 parliamentarian?

7 MS. TRAMONTANO: You know, I don't, and I actually, you  
8 know, looked, you know, as we were going through these  
9 documents. I was looking for any references, but I  
10 couldn't--I couldn't find one. You know, it was years ago,  
11 and I just don't remember his name.

12 MR. DOWNEY: What was discussed at this meeting with  
13 Prosecutor General Lutsenko?

14 MS. TRAMONTANO: Well, the discussion generally was  
15 similar to the previous discussion with the acting General  
16 Prosecutor Sevruk. It was to state that the cases had been  
17 pending for a long time, that it would be good to know what  
18 Mr. Lutsenko as the new prosecutor general, what plans he  
19 had regarding these cases, and that a number of the cases  
20 relied on the factual predicate of the case that had been  
21 decided in the UK.

22 And as I recall, John encouraged Mr. Lutsenko to read  
23 the UK decision and the evidence that had been submitted by  
24 both parties.

25 MR. DOWNEY: During this meeting, did the topic of

1 Ambassador Pyatt's view of Burisma come up?

2 MS. TRAMONTANO: It did not.

3 MR. DOWNEY: During this June 22nd, 2016, meeting with  
4 the PGO, did Lutsenko seek to understand Ambassador Pyatt's  
5 view of Burisma?

6 MS. TRAMONTANO: There was no discussion about  
7 Ambassador Pyatt.

8 MR. DOWNEY: Was there a discussion about the U.S.  
9 government's view of Burisma?

10 MS. TRAMONTANO: There was no discussion about the U.S.  
11 government's view of Burisma.

12 MR. DOWNEY: So Mr. Buretta didn't bring up what the  
13 U.S. government's view of Burisma was?

14 MS. TRAMONTANO: No. As I said before, we're never  
15 clear--never did we have a clear understanding what the U.S.  
16 government's position of Burisma was, and it was not a topic  
17 for discussion in this meeting.

18 MR. DOWNEY: In this June 22nd, 2016, meeting with the  
19 PGO, were you able to determine how many cases were pending  
20 against Mr. Zlochevsky or Burisma?

21 MS. TRAMONTANO: No. I mean, I don't have a  
22 recollection of the number of cases. There were a number of  
23 cases, but I don't know the exact number of cases.

24 MR. DOWNEY: So you left that meeting with the PGO not  
25 knowing the exact quantity of cases that were open against

1 Burisma or Mr. Zlochevsky?

2 MS. TRAMONTANO: Mr. Buretta may have known. I didn't  
3 know.

4 MR. DOWNEY: Did you discuss Hunter Biden's role on  
5 Burisma's board during this meeting?

6 MS. TRAMONTANO: We did not.

7 MR. DOWNEY: Did you discuss any other Burisma board  
8 members during this meeting?

9 MS. TRAMONTANO: We did not.

10 MR. DOWNEY: Did you discuss Vice President Biden's  
11 role in U.S.-Ukraine policy during this meeting?

12 MS. TRAMONTANO: We did not.

13 MR. DOWNEY: Did you or John Buretta or Vadym request  
14 anything of Prosecutor General Lutsenko during this meeting?

15 MS. TRAMONTANO: The only request that I recall was  
16 John Buretta, I would say, encouraged the new prosecutor  
17 general to read the decision, the UK decision.

18 MR. DOWNEY: After the meeting with Lutsenko, did you  
19 communicate further with Mr. Lutsenko or any other  
20 individuals in his office?

21 MS. TRAMONTANO: Well, what happened shortly after the  
22 meeting sometime in July, I believe, Mr. Lutsenko froze bank  
23 accounts, assets, pipelines of Burisma.

24 MR. DOWNEY: Did you or Mr. Buretta or Ms. Painter make  
25 any U.S. government official aware of your meeting of June

1 22nd, 2016, with Prosecutor General Lutsenko?

2 MS. TRAMONTANO: I don't--I don't recall that we--I  
3 don't recall that we did at that time.

4 MR. DOWNEY: So you--Blue Star didn't make the U.S.  
5 embassy in Kyiv aware of their meeting with the prosecutor  
6 general's office?

7 MS. TRAMONTANO: No, I don't believe that--I don't  
8 believe that we did at that time. As I recall, I think--I  
9 don't think there was an ambassador post, and we were in-  
10 country, I believe, for a very short period of time.

11 MR. DOWNEY: Did Blue Star offer anything to Prosecutor  
12 General Lutsenko?

13 MS. TRAMONTANO: We didn't offer anything to him, no.

14 MR. DOWNEY: Okay. We're going to go to Exhibit 14,  
15 which is Tab 27.

16 [Tramontano Exhibit No. 14  
17 marked for identification.]

18 MR. DOWNEY: So Exhibit 14 is a June 27, 2016, email  
19 that Ms. Painter sent to the State Department and said per  
20 my conversation with Tony at the Truman event, Karen  
21 Tramontano and I would like to have a brief coffee with Tony  
22 at his earliest convenience regarding some troubling events  
23 we are seeing in Ukraine. He said yes. Who is Tony?

24 MS. TRAMONTANO: I think that would be Tony Blinken.

25 MR. DOWNEY: And who is Tony Blinken?

1 MS. TRAMONTANO: Tony Blinken at the time, I believe,  
2 was at the--well, I don't know. I think he as at the State  
3 Department, Deputy Secretary of State at the time, I  
4 believe.

5 MR. DOWNEY: And how did you and Ms. Painter know Mr.  
6 Blinken?

7 MS. TRAMONTANO: Well, I've known Mr. Blinken for a  
8 couple of decades. I came to know him when he worked at the  
9 Senate for then Senator Biden as his foreign policy advisor,  
10 and I was doing work with the Secretary-General of the ILO.  
11 And that's--I mean, if memory serves me, I think that's one  
12 of the first times I met Tony, Mr. Blinken.

13 MR. DOWNEY: What did you want to discuss with Mr.  
14 Blinken based off this June 27, 2016, email?

15 MS. TRAMONTANO: So we had--it had come to our  
16 attention that the DCM at the Ukrainian embassy was making a  
17 false allegation about our firm, and we were quite upset  
18 about it. And we were seeking Tony's--Mr. Blinken's advice.

19 MR. DOWNEY: Who was the DCM you're referring to?

20 MS. TRAMONTANO: Mr. George Kent.

21 MR. DOWNEY: And what was Mr. Kent alleging about Blue  
22 Star?

23 MS. TRAMONTANO: He was stating that we represented  
24 somebody that we did not represent nor did we know, and he  
25 had--he had made the statement, it came to our attention

1 through a client.

2 MR. DOWNEY: When did Mr. Kent make this allegation  
3 about Blue Star?

4 MS. TRAMONTANO: I don't know exactly. It didn't come  
5 to our attention until sometime in June, and it came about  
6 because a client was doing due diligence on our firm. And  
7 they were interviewing a number of people, and Mr. Kent made  
8 this false allegation. And it was brought to our attention.

9 MR. DOWNEY: Who did Mr. Kent make these allegations  
10 to?

11 MS. TRAMONTANO: It was the firm--it was a firm that a  
12 client of ours had hired to do their due diligence. I  
13 don't--I don't know the name of the firm.

14 MR. DOWNEY: Did this meeting with Mr. Blinken occur?

15 MS. TRAMONTANO: It did not.

16 MR. DOWNEY: Why didn't it?

17 MS. TRAMONTANO: I don't--I don't recall why it didn't  
18 occur. I don't know if it was scheduling or--I don't know  
19 why it didn't occur.

20 MR. DOWNEY: Did you or Sally have a phone call with  
21 Mr. Blinken on this topic?

22 MS. TRAMONTANO: We did not.

23 MR. DOWNEY: Just a second.

24 MS. TRAMONTANO: Sure.

25 [Pause.]

1 MR. DOWNEY: Did you discuss this topic of George  
2 Kent's allegations with any other U.S. official?

3 MS. TRAMONTANO: We discussed it directly with George  
4 Kent. We discussed it with Ambassador Fried and with  
5 Ambassador Yovanovitch.

6 MR. DOWNEY: What did you know about George Kent at  
7 this time period in June of 2016?

8 MS. TRAMONTANO: I knew absolutely nothing about George  
9 Kent.

10 MR. DOWNEY: So the first--

11 MS. TRAMONTANO: I never--

12 MR. DOWNEY: The first interaction you had with him was  
13 these allegations he was making about Blue Star?

14 MS. TRAMONTANO: That's correct.

15 MR. DOWNEY: Okay. We're going to go to Tab 26, Will,  
16 which will be Exhibit--I believe it's Exhibit 15. Will,  
17 could you scroll down? Thank you.

18 [Tramontano Exhibit No. 15  
19 marked for identification.]

20 MR. DOWNEY: So on September 8th, 2016, Ms. Painter  
21 emailed Dan Fried and wrote quick update, Masha called Karen  
22 back, and they had a very good conversation. Who is Masha?

23 MS. TRAMONTANO: I believe that is reference to  
24 Ambassador Yovanovitch.

25 MR. DOWNEY: Did you have a conversation with Ms.

1 Yovanovitch?

2 MS. TRAMONTANO: I did.

3 MR. DOWNEY: And what did you discuss with Ms.

4 Yovanovitch?

5 MS. TRAMONTANO: I discussed George Kent and his false

6 allegations about the firm and that we are represented

7 Andriy Klyuyev.

8 MR. DOWNEY: Will, if you could scroll up on the

9 exhibit. Thank you.

10 As the exhibit shows, Ms. Painter forwarded kind of an

11 update on your conversation with Ms. Yovanovitch to Dan

12 Fried. Why did--

13 MS. TRAMONTANO: Dan "Fried."

14 MR. DOWNEY: Dan Fried.

15 Why did Ms. Painter update Mr. Fried about the phone

16 call between you and Ambassador Yovanovitch.

17 MS. TRAMONTANO: As I recall, we had reached out to

18 Ambassador Fried to ask his advice. I can't recall whether

19 it was a phone conversation or an in-person meeting. I

20 believe it may have been an in-person meeting, and so--and

21 we explained to him that we were quite upset that Mr. Kent,

22 when we talked to him, he said he would not stop making the

23 allegation, that he was will within his right to say what he

24 was saying. And so we were pretty upset about it. You

25 know, it continued for several months, and we had reached

1 out to Ambassador Fried, as I said. And so Sally was--Sally  
2 Painter was following up with him to tell him that I had a  
3 conversation with the ambassador.

4 MR. DOWNEY: In September of 2016, was Ambassador Fried  
5 an official at the--a current official at the State  
6 Department?

7 MS. TRAMONTANO: I believe he was.

8 MR. DOWNEY: Did you or any other Blue Star employees  
9 have contact with other government officials at the State  
10 Department around this time period?

11 MS. TRAMONTANO: You mean generally speaking?

12 MR. DOWNEY: Between you and Mr. Painter.

13 MS. TRAMONTANO: Well, we had a--I mean, we have an  
14 international consulting firm. So we talk to State  
15 Department officials all the time. In specific reference to  
16 what? To this particular--

17 MR. DOWNEY: To this--to this allegations, to the  
18 allegations George Kent was putting forth about Blue Star.

19 MS. TRAMONTANO: It was about Blue Star. This had  
20 nothing to do with Burisma.

21 MR. DOWNEY: Yeah, it's Blue Star.

22 MS. TRAMONTANO: Yeah.

23 The best of my recollection is that Sally had a  
24 conversation with Mr. Kent that didn't go well. I had a  
25 conversation with Mr. Kent that went very badly.



1 with you what occurred on this phone call with USAID?

2 MS. TRAMONTANO: She did not.

3 MR. DOWNEY: In Ms. Painter's email she wrote that  
4 Burisma has worked with Steve Gonyea on the Municipal Energy  
5 Reform Project, or MERP. What is MERP?

6 MS. TRAMONTANO: I don't know.

7 MR. DOWNEY: Do you know if Burisma had involvement  
8 with the MERP?

9 MS. TRAMONTANO: I'm reading the same document you are.  
10 That's all I know.

11 MR. DOWNEY: So this is--Ms. Painter might know more  
12 about this than you.

13 MS. TRAMONTANO: Yeah. I wasn't involved in the  
14 meeting.

15 MR. DOWNEY: Understood. We're going to go to Tab 34C,  
16 which will be Exhibit 17, Will.

17 [Tramontano Exhibit No. 17  
18 marked for identification.]

19 MR. DOWNEY: So this is another email regarding Burisma  
20 and USAID. According to this October 31, 2016, email chain,  
21 it appears that Burisma met with USAID representatives. Did  
22 anyone from Blue Star attend this meeting between Burisma  
23 and USAID?

24 MS. TRAMONTANO: No. I believe it was in Kiev.

25 MR. DOWNEY: Did this meeting occur?

1 MS. TRAMONTANO: From the email it appears it did  
2 occur. It said, "I had a brief, 30-minute meeting with  
3 USAID," so-

4 MR. DOWNEY: Do you know what was discussed at this  
5 meeting between Burisma and USAID?

6 MS. TRAMONTANO: I only know what's in this email.

7 MR. DOWNEY: Do you know if USAID--do you know what  
8 USAID's perspective of Burisma was in October of 2016?

9 MS. TRAMONTANO: I do not. I mean, they met with them  
10 but I don't know what their perspective was.

11 MR. DOWNEY: We're going to go to Exhibit 18, which  
12 will be Tab 36E.

13 [Tramontano Exhibit No. 18  
14 marked for identification.]

15 MR. DOWNEY: On November 18, 2016, you emailed  
16 Ambassador Yovanovitch requesting a meeting in early  
17 December 2016. In your cover letter to the Committee you  
18 noted that you met with the ambassador on December 8, 2016.  
19 Why did you want to meet with Ambassador Yovanovitch in  
20 December of 2016?

21 MS. TRAMONTANO: Well, we did--you know, we had several  
22 clients in Ukraine. I knew the ambassador from previous--  
23 her previous roles, and, you know, we typically, when we  
24 were working in country would request a meeting with the  
25 ambassador.

1 MR. DOWNEY: So how well did you know Ambassador  
2 Yovanovitch?

3 MS. TRAMONTANO: I knew her as a professional  
4 acquaintance.

5 MR. DOWNEY: How many times before this December 2016  
6 meeting had you met with Ambassador Yovanovitch?

7 MS. TRAMONTANO: Well, I talked to her as reflected in  
8 the document that you put up on the screen, sometime in  
9 September. Before that, you know, I probably, you know, saw  
10 her, you know, one or two times, maybe talked to her, you  
11 know, more often, one or two times.

12 MR. DOWNEY: So going back to the December 2016  
13 meeting, at this point what was your understanding of  
14 Ambassador Yovanovitch's awareness of Blue Star representing  
15 Burisma?

16 MS. TRAMONTANO: I had no understanding of her  
17 awareness.

18 MR. DOWNEY: Did you or other Blue Star representatives  
19 disclose the fact that Blue Star represented Burisma to the  
20 ambassador's office?

21 MS. TRAMONTANO: I did when I met with her.

22 MR. DOWNEY: Do you know why Ambassador Yovanovitch  
23 agreed to meet with Blue Star?

24 MS. TRAMONTANO: You'll have to ask her.

25 MR. DOWNEY: Did this meeting occur in December of

1 2016?

2 MS. TRAMONTANO: It did.

3 MR. DOWNEY: And who attended the meeting?

4 MS. TRAMONTANO: I was in the meeting. I don't recall  
5 whether there was somebody from her office in the meeting.

6 Yeah, I know I was in the meeting. I don't have a  
7 recollection if there was anybody else in the meeting.

8 MR. DOWNEY: Did George Kent attend the meeting?

9 MS. TRAMONTANO: No. Not based on my recollection,  
10 because I don't think I've ever met George Kent.

11 MR. DOWNEY: How long did the meeting last?

12 MS. TRAMONTANO: Oh, I don't know. Probably 15, 20  
13 minutes. I don't recall it as an extensive meeting.

14 MR. DOWNEY: What was discussed at this meeting?

15 MS. TRAMONTANO: I think I talked about the clients  
16 that we were working with in country, you know, including  
17 Burisma. And, you know, I recall, you know, giving her an  
18 update on the Burisma--the cases that had been pending with  
19 Burisma. I don't recall whether it was--I don't recall any  
20 specifics, but I do recall, you know, giving her an update  
21 of what those conversations were.

22 MR. DOWNEY: And what was that update, on the cases  
23 against Burisma that you provided to Ms. Yovanovitch?

24 MS. TRAMONTANO: Well, you know, I had met with Mr.  
25 Lutsenko on two occasions, and there was an agreed-upon

1 process that the Prosecutor General was, you know, going to  
2 implement with regard to several of the cases.

3 MR. DOWNEY: What was that process?

4 MS. TRAMONTANO: One of the things that the Prosecutor  
5 General asked was whether Burisma would agree to an  
6 independent audit of its finances, because one of the  
7 pending cases against the company involved taxes, and  
8 Burisma agreed to that, and an audit was being conducted.  
9 And Burisma agreed to abide by whatever the results of the  
10 audit was.

11 MR. DOWNEY: Who did this independent audit?

12 MS. TRAMONTANO: I don't know. You know, it was an  
13 auditor that the general prosecutor selected. I have no  
14 idea who it was.

15 MR. DOWNEY: When did this independent auditor begin  
16 its work?

17 MS. TRAMONTANO: I don't know exactly when the work  
18 began. My recollection is it was in the fall of 2016.

19 MR. DOWNEY: And what was the results of the  
20 independent auditor's work?

21 MS. TRAMONTANO: That Burisma owed taxes, and they  
22 agreed to abide by the audit and pay whatever the audit  
23 results indicated.

24 MR. DOWNEY: How much did Burisma owe in taxes?

25 MS. TRAMONTANO: You know, I don't remember. You know,

1 there's press reports that state what it was. But I don't  
2 recall right now what the amount was.

3 MR. DOWNEY: So is this independent audit work, is this  
4 what you provided to Ambassador Yovanovitch in December of  
5 2016?

6 MS. TRAMONTANO: I didn't provide anything to her. You  
7 know, I generally gave her an update and, you know, spoke  
8 briefly about, you know, the process that the Prosecutor  
9 General requested and Burisma agreed to.

10 MR. DOWNEY: Why did--

11 MS. TRAMONTANO: It wasn't a long conversation, as I  
12 recall.

13 MR. DOWNEY: --why did Ambassador Yovanovitch need an  
14 update on Burisma?

15 MS. TRAMONTANO: I have no idea whether she needed an  
16 update on Burisma. I was informing her of working in  
17 Ukraine. Burisma was among one of our clients in country,  
18 and that was it.

19 MR. DOWNEY: Regarding the independent auditor, what  
20 violations were found in relation to Burisma?

21 MS. TRAMONTANO: I have no ideas what the findings of  
22 the independent auditor were. I was not privy to that  
23 report.

24 MR. DOWNEY: When did results of that independent  
25 auditor's report become public?

1 MS. TRAMONTANO: I don't know if the results of the  
2 report became public or if Lutsenko just made a public  
3 statement as to the taxes that were owed and paid.

4 MR. DOWNEY: So do you know if a document was made  
5 publicly available of this independent auditor's findings in  
6 relation to Burisma?

7 MS. TRAMONTANO: I have no knowledge of that.

8 MR. DOWNEY: When did you first meet Andrii Telizhenko?

9 MS. TRAMONTANO: I think I've already answered that  
10 question. I'm happy to answer it again. I met Andrii  
11 Telizhenko at a meeting that Sally and I had in March at the  
12 Ukrainian Embassy.

13 MR. DOWNEY: March of 2016?

14 MS. TRAMONTANO: Yeah, that's correct.

15 MR. DOWNEY: And at that time, what was Mr.  
16 Telizhenko's relationship with Blue Star Strategies?

17 MS. TRAMONTANO: He had no relationship with Blue Star  
18 Strategies.

19 MR. DOWNEY: Why did Blue Star contract with Mr.  
20 Telizhenko?

21 MS. TRAMONTANO: We had several clients that were not  
22 domiciled in Ukraine, and we needed to get letters to  
23 different ministries. We needed, you know, somebody to  
24 follow the Ukrainian news. And at the time we didn't have  
25 anybody to perform those administrative tasks. And in July

1 of 2016, after he left the Embassy, we contracted with him  
2 to help us do those--perform those tasks.

3 MR. DOWNEY: Did Blue Star receive any recommendations  
4 on Mr. Telizhenko's behalf before deciding to contract with  
5 him?

6 MS. TRAMONTANO: We may have talked to the DCM. I  
7 don't recall at this time.

8 MR. DOWNEY: Oksana Shulyar?

9 MS. TRAMONTANO: Yeah, we may have spoken with her. I  
10 just--I don't remember at this time.

11 MR. DOWNEY: You've described some of this, but what  
12 was Mr. Telizhenko's responsibilities as a contractor for  
13 Blue Star Strategies?

14 MS. TRAMONTANO: Well, it was, you know, to get  
15 documents to the key ministries that we needed to  
16 communicate with, or, you know, to help to schedule  
17 meetings. And he was to also follow the press and, you  
18 know, Ukrainian press, and provide, you know, translation.  
19 That frankly didn't work out very well, because it's--you  
20 know, his ability to translate into English wasn't--it  
21 wasn't a smooth--you know, it wasn't a smooth translation.  
22 But, you know, the other administrative tasks, delivering  
23 letters and identifying, you know, to whom to send, you  
24 know, the email, those were essentially, you know, the tasks  
25 that we asked him to perform.

1 MR. DOWNEY: Did Mr. Telizhenko have a good grasp on  
2 how the Ukrainian Embassy in Washington and Ukrainian  
3 politics were in country?

4 MS. TRAMONTANO: I would not say he had a good grasp,  
5 no.

6 MR. DOWNEY: And why not?

7 MS. TRAMONTANO: I think he had--

8 MR. KADZIK: You can't speculate on why he didn't.

9 MR. DOWNEY: You figured out Mr. Telizhenko didn't have  
10 a good grasp of Ukrainian politics after you ended the  
11 contractual agreement with him, or during it?

12 MS. TRAMONTANO: During it.

13 MR. DOWNEY: Where did Mr. Telizhenko perform his work  
14 for Blue Star?

15 MS. TRAMONTANO: In Kiev, most of the time.

16 MR. DOWNEY: Did Blue Star provide Mr. Telizhenko with  
17 any computer equipment, phone, company email address?

18 MS. TRAMONTANO: No. None of the above.

19 MR. DOWNEY: How did you communicate with Mr.  
20 Telizhenko?

21 MS. TRAMONTANO: Either via his email or telephone.

22 MR. DOWNEY: How did Ms. Painter communicate with Mr.  
23 Telizhenko?

24 MS. TRAMONTANO: Oh, I mean, I believe the same way.

25 MR. DOWNEY: Who was Mr. Telizhenko's supervisor or

1 main point of contact at Blue Star during his contracted  
2 work?

3 MS. TRAMONTANO: He wasn't an employee so he didn't  
4 have a supervisor. He would be in contact with me. He  
5 would be in contact with Ms. Painter. And, you know, from  
6 time to time our employees, at our direction, may reach out  
7 to him for, you know, information or to perform a task.

8 MR. DOWNEY: Did Mr. Telizhenko's contract with Blue  
9 Star overlap with Blue Star's work for Burisma?

10 MS. TRAMONTANO: It did, but he did not perform any  
11 work for Burisma.

12 MR. DOWNEY: Did Mr. Telizhenko ever mention or discuss  
13 Burisma's corruption problems with you or Sally Painter?

14 MS. TRAMONTANO: I don't recall having discussions with  
15 Mr. Telizhenko in that regard.

16 MR. DOWNEY: How often did you ask Mr. Telizhenko for  
17 assistance on items relating to Burisma?

18 MS. TRAMONTANO: As we submitted to the Committee,  
19 there was one time where, I believe it was February or March  
20 of 2017, where I asked Mr. Telizhenko if he had knowledge  
21 about a specific NGO and the leadership of the NGO.

22 MR. DOWNEY: After ending the contract with Mr.  
23 Telizhenko, have you remained in contact with him?

24 MS. TRAMONTANO: I mean, we remained in contact, I  
25 would say, you know, from time to time. When he came to

1 Washington he would, you know, let us know. But I haven't  
2 talked to him in quite some time, I would say.

3 MR. DOWNEY: What about Ms. Painter?

4 MS. TRAMONTANO: I would think it's the same.

5 MR. DOWNEY: So how did you remain in contact with Mr.  
6 Telizhenko? You said he visited Washington a few times.

7 Did you communicate via email, text message, messaging apps?

8 MS. TRAMONTANO: You know, I don't--I mean, a normal  
9 way of communicating with him was through his Gmail account,  
10 so I would imagine that, but I don't specifically recall.

11 MR. DOWNEY: Did you ever ask Mr. Telizhenko to remove  
12 Blue Star from his resume?

13 MS. TRAMONTANO: No.

14 MR. DOWNEY: Do you know if Ms. Painter requested Mr.  
15 Telizhenko to remove Blue Star from his resume?

16 MS. TRAMONTANO: I don't know. I don't think so. I  
17 don't know the--

18 MR. DOWNEY: Do you know if Ms. Painter communicated  
19 more with Mr. Telizhenko than you did?

20 MS. TRAMONTANO: I don't even know how to answer that  
21 question. I'm sorry. You know--

22 MR. DOWNEY: Just a second. Thank you.

23 MS. TRAMONTANO: Sure.

24 [Pause.]

25 MR. DOWNEY: Okay. So it's 3:59. Our hour is up.

1 Zack, I don't know if you have further questions of Ms.  
2 Tramontano.

3 MR. SCHRAM: I can be brief.

4 MR. DOWNEY: Okay. We will kick it over to you. Thank  
5 you.

6 MR. SCHRAM: Ms. Tramontano, did Blue Star ever meet  
7 with Prosecutor General Shokin?

8 MS. TRAMONTANO: No, we did not.

9 MR. SCHRAM: You stated that during Shokin's tenure the  
10 cases against Burisma were pending without action. Is that  
11 correct?

12 MS. TRAMONTANO: That is correct.

13 MR. SCHRAM: Did Blue Star ever advocate to any U.S.  
14 Government official for the removal of Viktor Shokin?

15 MS. TRAMONTANO: We did not.

16 MR. SCHRAM: Nothing else. I should offer my finance  
17 colleagues, Dan and David, an opportunity to ask questions  
18 if they'd like.

19 MR. BERICK: I don't have any.

20 MR. DOWNEY: Okay. We have a couple more lines of  
21 questioning. Mr. Kadzik, I thought we were going to about  
22 4:30 today, if that's okay with everyone.

23 MR. KADZIK: We can go to 4:30 today, but I would say  
24 that 4:30 today is it.

25 MR. DOWNEY: Well, as Mr. Folio said, we'll discuss

1 that after this is complete.

2 MR. KADZIK: Well, let me just put it this way. If we  
3 were in a court of law, I could have said "asked and  
4 answered" a thousand times to your questions. And if you  
5 want to eat up your time that way, that's your business, but  
6 we're not carrying on as a consequence.

7 MR. DOWNEY: Well, we'll discuss that after this is  
8 over. Thank you.

9 We're going to go to Tab 38, Will. This will be  
10 Exhibit 19.

11 [Tramontano Exhibit No. 19  
12 marked for identification.]

13 MR. DOWNEY: So as we're scrolling through this  
14 exhibit, it begins on November 30, 2016 with Blue Star  
15 requesting a meeting with Mr. Reggie Singh of the State  
16 Department to discuss Burisma. In the meeting request, Pero  
17 of Blue Star wrote, "For your background, the board of  
18 directors of Burisma consists of U.S. nationals, and the  
19 company uses U.S. technology for its operations."

20 Ms. Tramontano, why was it important for Blue Star to  
21 highlight the fact that Burisma's board consists of U.S.  
22 nationals when trying to obtain a meeting with the State  
23 Department?

24 MS. TRAMONTANO: Well, as you can see from the emails,  
25 the meeting was already obtained, but we always alert the

1 State Department when a foreign company that we're  
2 representing has U.S. nationals or U.S. content or purchases  
3 equipment in the U.S. or has a supply chain in the U.S.  
4 It's typically relevant information to the State Department.

5 MR. DOWNEY: So who was the U.S. nationals on the board  
6 of Burisma in November of 2016?

7 MS. TRAMONTANO: So in November of 2016 it would have  
8 been Devon Archer and Hunter Biden. I don't know whether  
9 Cofer Black was on the board at that time.

10 MR. DOWNEY: So this meeting did occur with the State  
11 Department?

12 MS. TRAMONTANO: It did.

13 MR. DOWNEY: Did you attend?

14 MS. TRAMONTANO: Yeah, I believe I did attend.

15 MR. DOWNEY: What was discussed in this meeting?

16 MS. TRAMONTANO: Vadym talked about the company and  
17 talked about Burisma's role in energy security. I mean, as  
18 you will recall, at this time there was a Russian invasion.  
19 Most of the issues for Ukraine were around the conflict as  
20 well as energy security. And so Burisma, you know, was a  
21 part of providing energy security to Ukraine, and so that's  
22 what Vadym was briefing on.

23 MR. DOWNEY: Understood. Can you describe Blue Star's  
24 relationship with the Atlantic Council?

25 MS. TRAMONTANO: Sure. We have, I guess, you know,

1 somewhat long-term relationship with the Atlantic Council.  
2 The co-founder of the firm, Sally Painter, was an advisor to  
3 the Atlantic Council. She's been deeply involved in  
4 transatlantic relations. She was a member of the U.S.  
5 Committee on NATO, along with Steve Hadley and Madeleine  
6 Albright and others. We've served on panels for the  
7 Atlantic Council. You know, we've had different engagements  
8 with the Atlantic Council and some of our clients. I served  
9 on the board of the Atlantic Council. Sally served on the  
10 board of the Atlantic Council. I don't know if you have any  
11 specific questions, but generally that--

12 MR. DOWNEY: No, no. That's helpful to understand.  
13 Thank you.

14 We're going to go to, I think this is Exhibit 20, and  
15 it's going to be 44M.

16 [Tramontano Exhibit No. 20  
17 marked for identification.]

18 MR. DOWNEY: So on January 16, 2018, Pero at Blue Star  
19 sent Vadym an invitation for an event from the Atlantic  
20 Council to Mr. Zlochevsky.

21 MS. TRAMONTANO: Mm-hmm.

22 MR. DOWNEY: Pero noted that the invitation is for visa  
23 application purposes. Do you know what Pero meant by this?

24 MS. TRAMONTANO: I believe the Atlantic Council had  
25 offered to, if I'm remembering this correctly, had offered

1 to have the board of directors to the Atlantic Council for  
2 either one of their events or a briefing, and for, you know,  
3 some of the board members to travel they would need to apply  
4 for a visa.

5 MR. DOWNEY: Did Blue Star or the Atlantic Council  
6 assist Mr. Zlochevsky in obtaining a visa?

7 MS. TRAMONTANO: The event never happened. I don't  
8 think he applied for a visa at this time.

9 MR. DOWNEY: Understood. I'm going to turn this to a  
10 colleague, Mr. Wittmann. Thank you.

11 MR. WITTMANN: Hi, Ms. Tramontano. Can you hear me?

12 MS. TRAMONTANO: Yes, I can.

13 MR. WITTMANN: Okay. We're going to enter into the  
14 record Exhibit 21. Tab 41, Will.

15 [Tramontano Exhibit No. 21  
16 marked for identification.]

17 MR. WITTMANN: And we just want to scroll down to the  
18 bottom of the first page, so you can see the email that you  
19 sent on February 27, 2017, and we can keep scrolling--do you  
20 see that, Ms. Tramontano?

21 MS. TRAMONTANO: Yeah. I don't see the email, though.  
22 I see the chain, but--

23 MR. WITTMANN: Sure. We'll keep scrolling down so you  
24 can see the rest of that email.

25 MS. TRAMONTANO: Okay.

1 MR. WITTMANN: So this is on February 27, 2017, you  
2 sent an email regarding Vadym's schedule for an upcoming  
3 trip to the United States. In that email you mentioned that  
4 Vadym was scheduled to meet with Hunter Biden at 11 a.m. on  
5 March 9, 2017. And we discussed--you mentioned this  
6 earlier, so I just wanted to bring up the document that  
7 referenced that as well. We also have the briefing book  
8 that shows the meeting. I'm happy to bring that up on the  
9 screen as well, Ms. Tramontano. If you would like to see  
10 that just let me know.

11 MS. TRAMONTANO: Sure. Yeah, please do.

12 MR. WITTMANN: Okay, sure. We'll go to Tab, what we'll  
13 enter in as Exhibit 22. Tab 42, please, Will. Page 915,  
14 please.

15 [Tramontano Exhibit No. 22  
16 marked for identification.]

17 MR. WITTMANN: And just stop right there. Do you see  
18 where it says Thursday, March 9th, Ms. Tramontano?

19 MS. TRAMONTANO: Yes, I do.

20 MR. WITTMANN: Do you know if this meeting between  
21 Vadym and Hunter Biden occurred?

22 MS. TRAMONTANO: I do not recall.

23 MR. WITTMANN: Okay. Was this the meeting you had  
24 previously referenced earlier today, the second meeting  
25 between Vadym and Hunter Biden?

1 MS. TRAMONTANO: Yeah. I mean, what I said is that in  
2 the documents that we submitted, you know, that there may  
3 have been one or, you know, two other occasions. And that  
4 was in response to a question that maybe you had, Mr.  
5 Wittmann, about were there other meetings. I just don't  
6 recall right now whether that meeting took place or not.

7 MR. WITTMANN: Okay. I want to turn to our next  
8 exhibit. We're going to enter it in to the record as  
9 Exhibit 23. This is Tab 46L, Will.

10 [Tramontano Exhibit No. 23  
11 marked for identification.]

12 MR. WITTMANN: And please let us know, Ms. Tramontano,  
13 when you can see it on your screen, and just let us know if  
14 you'd like us to scroll down.

15 MS. TRAMONTANO: Yep, it's up on the screen. Yeah,  
16 please do.

17 [Pause.]

18 MS. TRAMONTANO: Okay.

19 MR. WITTMANN: Okay. So let's go ahead, and please  
20 scroll all the way back up, Will.

21 MS. TRAMONTANO: Thank you.

22 MR. WITTMANN: On July 27, 2019, you received this  
23 email. It appears--is that email address Vadym's email?

24 MS. TRAMONTANO: Yes, that's Vadym's email, yes.

25 MR. WITTMANN: Okay. Containing what appears to be

1 news clips regarding President Trump's call with President  
2 Zelensky, and some of these clips mention Burisma. You  
3 responded, "Thank you, Vadym. I have brief Sally. She will  
4 reach out to our friend. I've talked to our other friend  
5 this morning."

6 What did you brief Sally on?

7 MS. TRAMONTANO: You know, I read the links that he  
8 sent. You know, this was the first--as I recall, this was  
9 the first news about a phone conversation that obviously  
10 later became the subject of some inquiry. And I had read  
11 the links, and I talked to Sally about it. I mean, we were  
12 unaware that there was a phone conversation.

13 MR. WITTMANN: Understood. Understood. In this email  
14 you wrote that "Sally will reach out to our friend." Who  
15 did Sally reach out to, or rather, did Sally reach out to  
16 anybody?

17 MS. TRAMONTANO: I don't know if she did. And, you  
18 know, I honestly don't know, you know, with certainty who  
19 the friend references are.

20 MR. WITTMANN: References as in the friend that Sally  
21 was going to reach out to?

22 MS. TRAMONTANO: No. The friend that I was going to  
23 reach out to.

24 MR. WITTMANN: I'm sorry, Ms. Tramontano. The line was  
25 breaking up just a little bit. Do you mind repeating that,

1 please?

2 MS. TRAMONTANO: Yeah. I said I don't--I do not recall  
3 who the reference--the reference to "friend" in this email,  
4 I don't recall who that would have been.

5 MR. WITTMANN: Do you recall--did you talk to anyone  
6 outside of Sally about the information that you read in  
7 these clips, around this time period?

8 MS. TRAMONTANO: I don't recall talking to anyone. I  
9 mean, what I do recall was that the news was moving quite  
10 quickly on this topic, and changing, you know, in terms of  
11 details and about the conversations. So I don't recall  
12 talking to anybody at this time. Actually, I've tried to  
13 recollect that but I really don't recall.

14 MR. WITTMANN: I'm going to turn now back to Exhibit  
15 10, that we entered into the record earlier. This is Tab  
16 17, Will. And, Ms. Tramontano, my question relates to the  
17 email at the very top. And Will, if you wouldn't mind just  
18 scrolling down a little bit, and stop right there.

19 In that last sentence of this--is this email on your  
20 screen?

21 MS. TRAMONTANO: Yes, it is.

22 MR. WITTMANN: Okay. In the last sentence of Mr.  
23 Telizhenko's email he writes that he would recommend to have  
24 an unofficial meeting with former Prosecutor General, Mr.  
25 Yarema. Are you familiar with Mr. Yarema, or were you

1 familiar with Mr. Yarema at the time of this email?

2 MS. TRAMONTANO: No.

3 MR. WITTMANN: Do you know why Mr. Telizhenko  
4 recommended that you take an unofficial meeting with Mr.  
5 Yarema?

6 MS. TRAMONTANO: I do not.

7 MR. WITTMANN: Did any Burisma representative ever  
8 mention Mr. Yarema to you?

9 MS. TRAMONTANO: No.

10 MR. WITTMANN: Did you meet with Mr. Yarema?

11 MS. TRAMONTANO: I did not.

12 MR. WITTMANN: Did you ever follow up with Mr.  
13 Telizhenko about why he made this recommendation?

14 MS. TRAMONTANO: Not that I recall.

15 MR. WITTMANN: Okay.

16 We're going to enter into the record Exhibit No. 24.  
17 Tab 6, please, Will.

18 [Tramontano Exhibit No. 24  
19 marked for identification.]

20 MR. WITTMANN: It's a calendar entry, Ms. Tramontano.  
21 Please let us know when you can see it on your screen.

22 MS. TRAMONTANO: I have it on my screen. Thank you.

23 MR. WITTMANN: Okay. Thank you. This is an entry in  
24 Ms. Painter's calendar for March 8, 2016, and we can scroll  
25 up a little bit so you can see the date. And at some time

1 before 8 a.m. it looks like Ms. Painter was scheduled to  
2 call Devon on court case. Do you know what this is in  
3 reference to?

4 MS. TRAMONTANO: I do not.

5 MR. WITTMANN: Did Ms. Painter ever mention a court  
6 case relating to a discussion with Devon around this time  
7 period?

8 MS. TRAMONTANO: Not that I recall.

9 MR. WITTMANN: Do you know if Devon, the Devon  
10 mentioned in this entry, is Devon Archer?

11 MS. TRAMONTANO: I mean, I don't know for sure.

12 MR. WITTMANN: Did you ever discuss any specific court  
13 cases with Mr. Archer?

14 MS. TRAMONTANO: No, I did not.

15 MR. WITTMANN: Do you know if Ms. Painter did?

16 MS. TRAMONTANO: I should say I'm assuming you're  
17 asking, so I should not have made this assumption, so I  
18 guess I should ask you to make sure we have a meeting of the  
19 minds on this question. If you are asking me whether I  
20 discussed with Devon any of the court cases that were  
21 pending in Ukraine against Burisma, the answer to that  
22 question is no. So if that's the question you're asking,  
23 then no, I did not discuss those pending court cases,  
24 Burisma's pending court cases with Devon.

25 MR. WITTMANN: Okay. Were there other court cases

1 besides those, that you would have discussed with him?

2 MS. TRAMONTANO: At this time I believe there was a  
3 court case that involved Norvik Bank, and that could be the  
4 court case referenced. And I did talk to him about a court  
5 case with regard to Norvik Bank. So I just want to answer  
6 the question, have I talked to Devon about any court case,  
7 and at this time I did talk to him about a court case with  
8 regard to Norvik Bank.

9 MR. WITTMANN: Was Norvik Bank ever a client of Blue  
10 Star's?

11 MS. TRAMONTANO: Yes, it was. It became a client, yes.

12 MR. WITTMANN: And when did they become a client?

13 MS. TRAMONTANO: You know, I don't know. It's not  
14 something I can pull up right now.

15 MR. WITTMANN: Do you know if it was like March 8, 2016  
16 they were a client?

17 MS. TRAMONTANO: You know, I don't know.

18 MR. WITTMANN: Okay. Was Blue Star ever asked to help  
19 convince Hunter Biden to end his relationship with Burisma?

20 MS. TRAMONTANO: No. We were never asked that.

21 MR. WITTMANN: Okay. I'm going to turn it over to Mr.  
22 Downey.

23 MR. DOWNEY: So it's 4:25. I believe Chairman Johnson  
24 and Chairman Grassley's line of questioning is complete,  
25 knowing the 4:30 stop time. I don't know if Senator Peters'

1 or Senator Wyden's office has anything else before the 4:30  
2 stop time.

3 MR. SCHRAM: Just one more question. Did Devon Archer  
4 or Hunter Biden, in their capacity as Burisma board members,  
5 direct any of Blue Star's activities?

6 MS. TRAMONTANO: They did not.

7 MR. SCHRAM: That's all.

8 MR. DOWNEY: Okay. Ms. Tramontano, we thank you for  
9 your time today, and hope everything is healthy and safe  
10 wherever you are, along with you, Mr. Kadzik. We'll be in  
11 touch.

12 MS. TRAMONTANO: Thank you very much.

13 MR. KADZIK: Thank you. Thank you very much.

14 MR. DOWNEY: Bye.

15 MS. TRAMONTANO: Bye-bye.

16 [Whereupon, at 4:25 p.m., the interview was concluded.]

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## CONSULTING SERVICES AGREEMENT

This Consulting Services Agreement (the "Agreement") is between **Burisma Holdings Ltd.** (the "Client"), an independent oil and gas company, with principal place of business at Archiepiskopou. Makariou III, 155 PROTEAS HOUSE, 5<sup>th</sup> floor, 3026, Limassol Cyprus, and **Blue Star Strategies, LLC** (the "Firm"), a limited liability company with its principal place of business at 888 17th Street, NW, Suite 800, Washington, D.C. 20006, USA. For purposes of this Agreement, the Client and the Firm are referred to singularly as "the Party" or collectively as "the Parties". The Parties hereby agree to the following terms and conditions:

### AGREEMENT

#### 1. SERVICES

Under the terms of this Agreement, the Firm agrees to provide to the Client independent professional consulting services ("Services") as follows:

- Provide government relations assistance to the Client in the U.S. and Ukraine;
- Communicate to officials about the Client's business and its economic importance to Ukraine; and
- Prepare brief written reports as requested by the Client.

#### 2. OBLIGATIONS OF THE FIRM

- A. The Firm shall perform its responsibilities under this Agreement in an ethical and business-like manner and as per requirements and/or guidance of the Client and in its best interests.
- B. The Firm shall submit all reports required of it by applicable federal and state disclosure and/or reporting laws.

#### 3. OBLIGATIONS OF CLIENT

- A. Assisting with Government Disclosures by the Firm: Where applicable, the Client recognizes that the Firm may periodically be required to file federal and disclosure forms in the U.S. which may require the Client's signature.



- B. Non-payment: The Client acknowledges that any failure to timely remit payments due under this Agreement constitutes a material breach hereof.

#### 4. COMPENSATION

- A. Monthly Retainer Fee: The Client agrees to pay the Firm a Monthly Retainer Fee of US\$30,000 (thirty thousand U.S. dollars), exclusive of all expenses. The Monthly Retainer Fee is exclusive of value-added tax (VAT) and out-of-pocket business expenses. Any expenses exceeding US\$500 (five hundred U.S. dollars) shall be pre-approved by the Client in advance of being incurred.
- B. Payment Schedule: Payment of the Monthly Fee is due upon receipt of the Firm's invoice. The first invoice shall include the first two months of the Monthly Retainer Fee, in the amount of \$60,000 (sixty thousand U.S. dollars). Should the Client allow its account to fall more than thirty (30) days in arrears, the Firm retains the option of suspending its Services and those of subcontractors called for in this Agreement until payment arrangements are made to the reasonable satisfaction of the Firm.
- C. Payment by Check: If the Client chooses to remit payment in the form of a check, please make payable to:

Blue Star Strategies, LLC  
888 17<sup>th</sup> Street NW, Suite 800  
Washington, DC 20006, USA  
Attn: Sally Painter

- D. Payment by Wire: If the Client chooses to remit payment by wire transfer:

Receiving Bank: Sun Trust Bank  
Receiving Bank Swift: SNTRUS3A  
Beneficiary Bank: ABA#061000104

Account Name: Blue Star Strategies, LLC  
Account Number: #1000168741998

- E. Invoices: The Firm agrees to send all invoices to the Client. Such invoice must be original and will contain a detailed statement (report) of the work and tasks performed by the Firm hereunder, as well as receipts and/or other appropriate documents for all items for which the Firm requests reimbursement. The Client shall pay for appropriately documented and approved fees within thirty (30) days of receipt. Invoices should be mailed to:

Burisma Holdings Ltd.  
10-A Ryleyeva St., Office 424



Kyiv 04073, Ukraine  
Attn: Vadym Pozharskyi  
[vadym.pozharskyi@burisma.com](mailto:vadym.pozharskyi@burisma.com)

## **5. ASSIGNMENT**

The Firm shall not assign this Agreement or any of its rights or obligations hereunder without the express prior written approval of the Client. This Agreement shall bind and inure to the benefit of the Parties, and their respective successors and assigns permitted, as provided in this section.

## **6. CONFIDENTIALITY**

The Firm and the Client agree that they will hold in confidence and will not utilize in any manner the content of this Agreement and any information whatsoever of a restricted or confidential nature concerning the activities or business of the other, unless such disclosure: (a) is mutually agreed upon in writing; (b) is reasonably required in connection with the fulfillment of the disclosing party's obligations hereunder, and then is made only to the minimum extent necessary to carry out such obligations; (c) pertains to information which had generally become known to the public other than through the disclosure thereof by the disclosing party; (d) is made to attorneys, accountants or other professional advisors of the disclosing party under confidentiality agreements substantially similar to this one; or (e) pursuant to compulsory legal process, provided that the disclosing party has opportunity to seek a protective or similar order and only the minimum information is disclosed to comply with such legal process. "Confidential information" means any (a) information designated by the other party in writing as confidential, proprietary or restricted, and (b) any information of which the receiving party knows or should reasonably know that (i) the disclosing party treats as confidential or proprietary, or (ii) public disclosure can or will negatively affect the interests of the other party. The terms of this Section 6 shall survive the termination of this Agreement.

## **7. WORK PRODUCT**

Any and all Work Product developed or generated under this Agreement per Section 1 herein shall be owned by the Client unless otherwise agreed with the Firm.

## **8. NOTICES**

All notices required or authorized by this Agreement shall be given in writing and shall contain a reference to this Agreement. All such notices shall be deemed effective when they are either served by personal delivery, or sent, postage pre-paid, by registered or certified mail to the receiving Party at the following address:



If to the Firm: Blue Star Strategies, LLC  
888 17th Street, NW, Suite 800  
Washington, DC 20006 USA  
Attn: Sally Painter  
[sally.painter@bluestarstrategies.com](mailto:sally.painter@bluestarstrategies.com)

If to the Client: Burisma Holdings Ltd.  
10-A Ryleyeva Str., Office 424  
Kyiv 04073, Ukraine  
Attn: Vadym Pozharskyi  
[vadym.pozharskyi@burisma.com](mailto:vadym.pozharskyi@burisma.com)

## **9. RESOLUTION OF DISPUTES**

The Firm and the Client agree to make every effort to resolve amicably by direct informal negotiations any disagreement or dispute arising between them under or in connection with this Agreement. Any dispute, controversy or claim arising out of or relating to this Agreement, which cannot be settled amicably within sixty (60) days, shall be settled by arbitration in accordance with the rules of the American Arbitration Association as presently in force. The place of arbitration shall be agreed by the parties in writing within ten (10) days from the above-mentioned 60 day period, or if no agreement is reached, shall be determined by the arbitral tribunal, having regard to the circumstances of the arbitration. The language to be used in the arbitral proceedings shall be English. The Parties hereto agree to be bound by any arbitration award rendered in accordance with this provision as the final adjudication of any dispute arising under this Agreement.

## **10. PRIVILEGES AND IMMUNITIES**

Nothing in this Agreement or relating thereto shall be construed as constituting a waiver of the privileges and immunities of the Parties.

## **11. AMENDMENTS**

This Agreement may only be amended in writing signed by the Client and an executive officer of the Firm, explicitly stating that the writing is intended to amend this Agreement.

## **12. DURATION AND TERMINATION**

- A. **Term and Renewal:** This Agreement shall commence on November 1, 2015 ("the Start Date") and continue until October 31, 2016 ("Initial Term"). This



Agreement shall automatically renew and continue on a six month basis until renewed or terminated by either Party pursuant to the terms herein.

- B. Either Party may terminate this Agreement for cause upon the other Party's breach or default of any provision of this Agreement unless such breach or default is corrected or cured within thirty (30) days after receipt of written notice thereof from the other Party.
- C. Either Party may terminate this Agreement for cause immediately, in the event that the other Party: (i) is the subject of a voluntary or involuntary petition in bankruptcy; (ii) is or becomes insolvent; or (iii) ceases to pay its obligations or conduct business in the normal course.
- D. Following the expiration of the Initial Term, the Client may terminate the Agreement upon the provision, in writing, of no fewer than sixty (60) days' notice. Termination pursuant to this paragraph does not release Client or the Firm from any ongoing disclosure or reporting requirements either might have under this Agreement or any amendments hereto or of any obligation of the Client to provide compensation for any and all Services provided on behalf of the Client, which shall be pro-rated for any partial month.

### **13. WAIVER**

The failure of either Party to enforce at any time or for any period of time any provision hereof shall not be construed to be a waiver of such provision of the right thereafter to enforce each and every provision. No waiver by either Party to this Agreement, either express or implied, of any breach of any term, condition or obligation of this Agreement shall be construed as a waiver of any subsequent breach of that term, condition or obligation or of any other term, condition or obligation of this Agreement.

### **14. RELATIONSHIP OF THE PARTIES**

The Firm is an independent contractor. All persons employed by the Firm in the performance of the Agreement shall perform under the control and direction of the Firm and shall under no circumstances be considered employees of the Client.

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We, the undersigned, hereby agree that these terms and conditions constitute the entire Agreement governing the business relationship between the **Burisma Holdings Ltd.** and **Blue Star Strategies, LLC** for the purpose of delivery of the Services agreed above, which is made effective as from the Start Date above.

**Burisma Holdings Ltd.**

By: 

Vadym Pozharskyi  
Advisor to the Board

Date: 11/11/2015

**Blue Star Strategies, LLC**

By: 

Sally Painter  
Chief Operating Officer

Date: Nov. 18, 2015





The Honorable Ron Johnson  
Chairman  
U.S. Senate Committee on Homeland  
Security and Governmental Affairs  
328 Hart Senate Office Building  
Washington, DC 20510

The Honorable Charles E. Grassley  
Chairman  
U.S. Senate Committee on Finance  
135 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Johnson & Chairman Grassley:

I have received your letter dated December 3, 2019 requesting certain information from Blue Star Strategies, LLC (Blue Star Strategies).

Blue Star Strategies is a small, woman owned government and public affairs firm co-founded by Sally Painter and me.<sup>1</sup> This year marks Blue Star Strategies' 10<sup>th</sup> Anniversary. Prior to founding Blue Star Strategies, Sally Painter and I were partners in a bi-partisan government affairs firm, Dutko Worldwide. Dutko Worldwide's partners included Mark Irion, Ron Kaufman, Brad Card and Gary Andres – all well-known professionals in the government affairs sector. Sally Painter and I led the international business at Dutko Worldwide. In 2009, we decided to launch Blue Star Strategies.

Blue Star Strategies is unique in that the government and public affairs practice is exclusively international. We assist foreign entities (public and private) by providing an array of government and public affairs services. From time to time, those services include advocacy before government agencies, including the U.S. government. We also assist U.S. private, commercial enterprises in Europe, Eurasia and throughout Latin America.

As early as 2002, the founders of the firm began working with Eastern European countries and countries formerly within the Union of Soviet Socialist Republics (USSR) to develop their strategic security plans to join the North Atlantic Treaty Organization (NATO). To achieve that end, we worked closely with the Bush Administration and other Members of the NATO Alliance and saw several countries – including Bulgaria, Latvia and Estonia – be accepted into NATO. In 2004, again in collaboration with the Bush Administration, we began our work in Ukraine – initially to see the fraudulent 2005 election overturned, and Viktor Yushchenko elected President of Ukraine.

I outline our history so that you would understand Blue Star Strategies' track record of achieving positive results for governments and private enterprises from Eastern European and former USSR countries. Based

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<sup>1</sup> A third individual, Gabriel Zinny was a minority shareholder at the time of the company's founding. Mr. Zinny is no longer with the firm and was not at the firm during the firm's work with Burisma.



on our success, we receive referrals from current and former clients, colleagues, and other professionals when they believe we have the expertise to provide the services required. Burisma is among several clients referred to our firm. Given the questions raised in your letter, I note that Hunter Biden did not refer Burisma to the firm.

The firm continues to work in the private and public sectors in Central and Eastern Europe, the Baltics, the Balkans, and the Caucasus regions and throughout Latin America.

We were engaged by Burisma in November 2015 to provide a range of government, public affairs, and legal services. The U.S. component of our work has focused on fact-finding as outlined below, partnerships with private institutions, and discussions with appropriate government and non-governmental organizations regarding Ukraine's energy security needs. In Ukraine, we provide legal advice and public affairs services. Burisma continues as a client of the firm.

Your letter asserts several claims referenced primarily to two media sources: the Washington Examiner and The Hill. It is important to inform the Committees that the assertions made, and the conclusions drawn from those assertions, are incorrect. While Sally Painter and I met Mr. Amos Hochstein, it was not "to convince Hochstein. . .that Burisma was on the level and did not warrant further investigation," as stated in your letter. The initial meeting with Mr. Hochstein was to understand his and the State Department's position regarding an independent energy company, Burisma. At that meeting we learned Mr. Hochstein's view – although it was not stated to be the State Department's view. There was a subsequent meeting with Mr. Hochstein that included Burisma's U.S. counsel, John Buretta. While Sally Painter attended the meeting, the counsel led the briefing. The first meeting with Mr. Hochstein was on December 10, 2015. The second meeting was on March 24, 2016.

The second incorrect assertion is that I leveraged Hunter Biden's name for a meeting with then Under Secretary of State Catherine Novelli. To substantiate that claim, your letter references a note written by someone presumably in the State Department. The note was not written by me. The fact is, I have known Catherine Novelli for over two decades and did not need to use anyone's name – including Hunter Biden's – to obtain a meeting. Ms. Novelli agreed to the meeting at my request. The purpose of the meeting was to understand the State Department's position regarding Burisma, as well as how the State Department came to that position. The date of the meeting was March 1, 2016.<sup>2</sup>

Although not referenced in the Committees' letter, as part of our fact-finding Sally Painter and I had meetings with State Department professionals<sup>3</sup> in Washington, DC and at the U.S. Embassy in Kyiv wherein Burisma was mentioned. During a trip to Kyiv, we requested a meeting with Ambassador Geoffrey Pyatt to discuss several issues, one of which included understanding how he came to his

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<sup>2</sup> John Buretta, Burisma's U.S. Counsel attended the meeting and briefed Undersecretary Novelli.

<sup>3</sup> Prior to meeting Ambassador Pyatt, we had two professional staff meetings at the U.S. Embassy in Kyiv. On December 14, 2015 we met William Laitinen, Economic Counselor at the Embassy, to understand his view of Ukraine's economic situation. The meeting had not been scheduled to discuss Burisma as we had several other corporate clients interested in Ukraine's economic situation. To be fully transparent, we disclosed that we were working with Burisma and inquired as to his views of the company. Also, on December 14, 2015 we met USAID Representative Steve Gonyea to understand USAID's decision-making process. Burisma had offered to assist USAID during a gas shortage in regions under Russian attack and we were inquiring about the decision to decline the company's assistance.



position about Burisma.<sup>4</sup> A year later, we met Ambassador Marie Yovanovitch to discuss a variety of issues – Burisma was raised in our discussions. As it related to Burisma, the purpose of the meeting was to understand whether Ambassador Yovanovitch held the same view of Burisma as Ambassador Pyatt. The meeting with Ambassador Pyatt was on December 16, 2015. The meeting with Ambassador Yovanavitch was on December 8, 2016.

On December 14, 2016 we met Reggie Singh, Ukraine Desk Officer, to discuss economic and energy security in Ukraine and the role of independent gas companies such as Burisma<sup>5</sup>. On November 2, 2017 we met Andrea Lockwood, Deputy Assistant Secretary of International Affairs at the Energy Department, to discuss the role independent gas companies such as Burisma could play to better ensure energy security in Ukraine.

Burisma purchases extraction and other equipment from several U.S. companies. The cost of this specialized equipment exceeds \$80 million over 5 years. As a result of the Trump Administration’s focus on U.S. jobs, we met officials at the Departments of State and Commerce who were interested in foreign company purchases from U.S. manufacturers that resulted in job creation. At the State Department we met Melissa Simpson, then Acting Deputy Assistant Secretary, and Brian DaRin. The State Department meeting was held on November 21, 2018. At the Department of Commerce, we met Matthew Edwards, Director, and Boris Chumuk, Desk Officer, of the Office of Russia, Ukraine & Eurasia to discuss Burisma’s U.S. equipment purchases. The Department of Commerce meeting was held on November 27, 2018. Among several recommendations from that meeting was to meet Charles Phillips, Deputy Senior Commercial Officer and Heather Bell, Director from the Department of Energy at the U.S. Embassy in Kyiv. The meeting with Mr. Phillips and Ms. Bell meeting took place on February 19, 2019.

We had no meetings related to Burisma at the Executive Office of the President or the Office of the Vice President during the Obama Administration.

In response to your request outlined in item #2 of your letter, we include an appendix (Appendix A)<sup>6</sup> containing records between Blue Star and U.S. officials specifically related to Burisma. Due to the Confidentiality clause and the Client Work Product Ownership clause of the binding contract between Blue Star Strategies and Burisma, we are unable to provide copies of documents requested in item #1b of your letter.

During my meetings in Ukraine with Ukrainian officials, I was working in my capacity as “Of Counsel” to Burisma in collaboration with Burisma’s U.S. counsel, John Buretta. Due to the nature of those meetings, disclosure of the discussions would be a breach of client confidentiality and the attorney-client privilege.

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<sup>4</sup> Ambassador Pyatt had been sharply critical of Burisma in one of his official public speeches in his capacity as the U.S. Ambassador to Ukraine.

<sup>5</sup> Mr. Singh included colleagues from the State Department’s Economics office. We have no record of the attendees.

<sup>6</sup> The records include records for meetings that occurred, and records for meetings requested that did not occur. We have indicated the dates of those meetings that did occur in the letter. Where the records refer to a discussion of issues unrelated to Burisma we have redacted the reference. Where the records specifically identify a Burisma representative we have redacted the name to adhere to the confidentiality clause in our agreement.





Finally, I want to assure the Committees' Chairmen that at no time did I or anyone else in the firm working on behalf of Burisma collaborate or coordinate the development or implementation of our work with Hunter Biden. We had no discussions or meetings with Mr. Biden regarding our contractual agreement with Burisma or Blue Star Strategies' terms of engagement. Mr. Biden played no role in Blue Star Strategies' work on behalf of Burisma – either in its limited scope in the U.S. or its more extensive scope in Ukraine. Mr. Biden has no role in Blue Star Strategies and holds no financial interest in Blue Star Strategies.

The information provided in this letter is based on the firm's best recollection and after a review of our records.<sup>7</sup> Consistent with recommendations from the IRS we retain records, including client records, for a period of 5 years. We will continue to preserve records relevant to this inquiry.

I trust that this letter responds to your inquiry.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Tramontano", written over a horizontal line.

Karen Tramontano  
Chief Executive Officer  
Blue Star Strategies, LLC

---

<sup>7</sup> Earlier this year, Blue Star Strategies embarked on an office renovation that included major changes in our telecommunications and computer systems. While we are confident that the search of our records has resulted in producing records responsive to your inquiry major systems changes have their challenges.



## Pero Jolevski

---

**From:** Pero Jolevski  
**Sent:** Friday, December 11, 2015 4:54 PM  
**To:** Stephen Gonyea  
**Subject:** RE: Meeting next week

Ok, will give you a buzz over the weekend. Have a good night!

---

**From:** Stephen Gonyea [mailto:sgonyea@usaid.gov]  
**Sent:** Friday, December 11, 2015 4:52 PM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** Re: Meeting next week

I don't want to be in a position of knowing something that I can't share with the ambassador. :) Not a good career move. Let's talk over the weekend. I'm going to sleep!

**Steve Gonyea Director/EG Office | USAID/Ukraine (From U.S. - 301.985.8659 ext 5494)**

---

On Dec 11, 2015, at 23:30, Pero Jolevski <Pero.Jolevski@bluestarstrategies.com> wrote:

I totally understand – but I think we are changing strategies. I am not sure what their talking points are for the meeting but will leave it up to them on what they will talk about at the Embassy. I can confidentially brief you over the phone. Let me know when you have 5 minutes to talk.

---

**From:** Stephen Gonyea [mailto:sgonyea@usaid.gov]  
**Sent:** Friday, December 11, 2015 4:23 PM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** Re: Meeting next week

IMHO, this would be a VERY bad move to not mention this. Burisma and linkages, good and bad, as you know, have been a major news story and hugely politicized issue, especially during the recent visit. It's been used in attempts to criticize US policy and embarrass the Ambassador. Honesty would be the best policy. Seriously.

---

**Steve Gonyea Director/EG Office | USAID/Ukraine (From U.S. - 301.985.8659 ext 5494)**

On Dec 11, 2015, at 19:01, Pero Jolevski <Pero.Jolevski@bluestarstrategies.com> wrote:

Apparently the pool is nice ☺

Ok so I'll tell them that you will meet them after Chip. BTW – Chip doesn't know anything about our work with Burisma and they will probably not mentioning anything to him about it.

**From:** Stephen Gonyea [mailto:sgonyea@usaid.gov]  
**Sent:** Friday, December 11, 2015 11:34 AM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** Re: Meeting next week

Yes at the embassy.

Well Premier is a nice Russian owned hotel. :)

---

On Dec 11, 2015, at 18:31, Pero Jolevski <Pero.Jolevski@bluestarstrategies.com> wrote:

Yes, meeting with Chip on Monday at 4 pm so after that will work. Is your office at the Embassy?

They are staying at Premier Palace Hotel

---

**From:** Stephen Gonyea [mailto:sgonyea@usaid.gov]  
**Sent:** Friday, December 11, 2015 11:27 AM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** Re: Meeting next week

So your meeting with Chip is Monday? I may be called in on it too. If so then after that is fine. Maybe I can bring them back to the center. Have them a hotel yet?

**Steve Gonyea Director/EG Office | USAID/Ukraine (From U.S. - 301.985.8659 ext 5494)**

On Dec 11, 2015, at 18:18, Pero Jolevski <Pero.Jolevski@bluestarstrategies.com> wrote:

Monday. Sorry. Tuesday works too

---

**From:** Stephen Gonyea [mailto:sgonyea@usaid.gov]  
**Sent:** Friday, December 11, 2015 11:17 AM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** Re: Meeting next week

Uh, on which day?

**Steve Gonyea Director/EG Office | USAID/Ukraine (From U.S. - 301.985.8659 ext 5494)**

1355024

On Dec 11, 2015, at 17:23, Pero Jolevski  
<[Pero.Jolevski@bluestarstrategies.com](mailto:Pero.Jolevski@bluestarstrategies.com)> wrote:

Hi Steve,

What is a good time for you to meet Karen and Sally next week. They have a 4 pm meeting with Chip from the Embassy. Would sometime before or after that work with you?

I'll send you a full list of their meetings later today.

Pero

Pero Jolevski  
Blue Star Strategies

(+1)-202-833-1281  
(+1)-202-822-9088 fax

[pero.jolevski@bluestarstrategies.com](mailto:pero.jolevski@bluestarstrategies.com)  
m

888 17th Street NW, Suite 800  
Washington, DC 20006

[www.bluestarstrategies.com](http://www.bluestarstrategies.com)

The information in this transmittal is privileged and confidential and is intended only for the recipient(s) listed above. If you are not the intended recipient(s) for the delivery of this transmittal, you are hereby notified that any unauthorized distribution or copying of this transmittal is prohibited. If you have received this transmittal in error, please notify me at (202) 833-1281

ESSOR5

## Pero Jolevski

---

**From:** Karen Tramontano  
**Sent:** Thursday, February 18, 2016 8:00 AM  
**To:** Pero Jolevski  
**Subject:** Fwd: Need your advice

see below. please follow up with her office. thanks

---

Sent from my iPhone

Begin forwarded message:

**From:** "Novelli, Catherine A" <NovelliCA@state.gov>  
**Date:** February 18, 2016 at 7:48:00 AM EST  
**To:** Karen Tramontano <Karen.Tramontano@bluestarstrategies.com>  
**Cc:** "Dodman, Michael J" <DodmanMJ@state.gov>, "Thomas, Anita Y" <ThomasAY@state.gov>  
**Subject:** Re: Need your advice

---

Hi Karen,

Happy to meet with you. Copying Anita Thinas who can make it happen on my schedule

Best,  
Cathy

Sent from my iPhone

On Feb 18, 2016, at 7:42 AM, Karen Tramontano  
<Karen.Tramontano@bluestarstrategies.com<mailto:Karen.Tramontano@bluestarstrategies.com>>  
wrote:

<image001.gif>

Dear Undersecretary Novelli:

I have requested a meeting to discuss a matter on which I need your advice. I spoke to Michael Tracton in your office yesterday to explain my reason for asking for a meeting. Essentially, the U.S. government has taken a position in a commercial matter regarding a Ukrainian individual and I believe the position is in error. I would like to give you a briefing and ask your advice in this matter. We are reaching out to your office and hopefully we could arrange a meeting in the upcoming week. Thank you in advance for your time.

Best regards

Karen

1355089

Karen A. Tramontano

Blue Star Strategies

<image002.png>

(+1) 202-833-1265 direct

(+1) 202-320-4102 mobile

(+1) 202-822-9088 fax

[karen.tramontano@bluestarstrategies.com](mailto:karen.tramontano@bluestarstrategies.com)<<http://redirect.state.sbu/?url=mailto:patrick.boland@bluestarstrategies.com>>

888 17th Street NW, Suite 800

Washington, DC 20006

[www.bluestarstrategies.com](http://www.bluestarstrategies.com)<<http://redirect.state.sbu/?url=http://www.bluestarstrategies.com>>

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BSS030

## Pero Jolevski

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**From:** Pero Jolevski  
**Sent:** Tuesday, March 1, 2016 10:57 AM  
**To:** Thomas, Anita Y; Karen Tramontano  
**Subject:** RE: Meeting with Undersecretary Novelli

Thanks!

---

**From:** Thomas, Anita Y [mailto:ThomasAY@state.gov]  
**Sent:** Tuesday, March 01, 2016 10:51 AM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>; Karen Tramontano <Karen.Tramontano@bluestarstrategies.com>  
**Subject:** RE: Meeting with Undersecretary Novelli

Hi Pero,

Yes. We are confirmed for today at 4pm. Karen and Bill are both pre-cleared at 3:45pm.

Thanks for checking!

Best,  
Anita

---

**From:** Pero Jolevski [mailto:Pero.Jolevski@bluestarstrategies.com]  
**Sent:** Tuesday, March 01, 2016 9:47 AM  
**To:** Thomas, Anita Y; Karen Tramontano  
**Subject:** RE: Meeting with Undersecretary Novelli

Good morning Anita,

Just wanted to reconfirm with you the meeting today at 4 pm, Karen and John will be in at State Department 10-15 minutes prior the meeting.

Best regards,  
Pero

---

**From:** Thomas, Anita Y [http://redirect.state.sbu/?url=mailto:ThomasAY@state.gov]  
**Sent:** Thursday, February 18, 2016 3:25 PM  
**To:** Karen Tramontano <Karen.Tramontano@bluestarstrategies.com>  
**Cc:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** RE: Meeting with Undersecretary Novelli

Sure. I can have Amy Dove to contact you when she is out of her meeting. You can also call her direct on 202 647-4092. She will be available around 4:30pm.

Thanks,  
Anita





## Karen Tramontano

---

**From:** Sean Keeley  
**Sent:** Monday, March 21, 2016 4:47 PM  
**To:** Karen Tramontano  
**Cc:** Sally Painter; Jessica Lindgren  
**Subject:** RE: Vadym P - Burisma coming to Washington

Dear Karen,

Sally, Jes and I just talked to Morgan and he will hold a lunch spot on Thursday, March 31<sup>st</sup> (12:15-1:30pm) for Vadym to present on the energy situation in Ukraine for USUBC members. Morgan said he will invite about 30-35 members who would be interested for a lunch reception led by Vadym.

I sent a request to Marcy Kaptur as you saw this morning.

I will also reach out to:

- Tyler Brace: Republican Staff Contact for Senate Ukraine Caucus (Senator Portman's office)
- Chris Homan: Democrat Staff Contact for Senate Ukraine Caucus (Senator Durbin's office)
- John Herbst – Sally to do out reach?
- Alexander Orr – Ukraine desk officer at State (energy)
- Marc Gartner – Ukraine desk officer at State
- Hunter Biden for quick meeting

Let me know if I am missing anyone that should be on the list. And if you have 5-10 minutes at the end of the day today to confer and also discuss the upcoming Kiev trip and Prosecutor outreach, that would be helpful for me.

Thanks,  
Sean

---

**From:** Karen Tramontano  
**Sent:** Sunday, March 20, 2016 10:01 AM  
**To:** Sally Painter; Jessica Lindgren; Sean Keeley  
**Subject:** Vadym P - Burisma coming to Washington

Dear All  
I just spoke w/ Vadym -

He will be arriving on 29 March and expects no agenda on that day. Sally we may want to take him to dinner. On 30th - the evening will be focusing on the pull aside w/ President Poroshenko - Jessica thank you for talking to Morgan's person L - and informing her of our needs.

Here are the meetings I discussed with Vadym

On the House side ... let's get Marcy Kapter if we can Let's make the request early this week

Let's figure out the 2 staff people - one R and one D that either care about Ukraine or Energy but focus on Ukraine

In the Senate let's request meeting at the Ukraine desk -- Sally the guy we met with was very help.

He would like to just "stop by" to see Hunter - no more than 30 minutes because he does not have an agenda -

I think we should also ask for Pfifer or Herbts -- Sally what do you think?

We should try for meetings on the 30th and the afternoon of the 31st

Jesica he said Morgan was putting together a morning briefing for Vadym to discuss the energy situation in Ukraine the morning of the 31st would you check this out with Morgan and L --

any other thoughts?

sally i know you are trying to figure out whether the chief of staff is coming w/ the President -

Lastly let's begin to plan our trip to Kiev - leaving on the 5th. We still do not have the meeting w/ the General Prosecutor .... Let's together talk about how to get this done it's a MUST have for that trip

thanks

Karen



# Burisma Holdings Ltd.

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Washington, D.C. Meetings

**Vadym Pozharskyi**

**March 29-April 1, 2016**

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**Washington, D.C.**

**TUESDAY, MARCH 29:**

**8:00 PM      Arrival in Washington**

*Dulles International Airport  
1 Saarinen Circle  
Dulles, VA 20166*

**WEDNESDAY, MARCH 30:**

**9:00 AM      Briefing at Blue Star Strategies**

Karen Tramontano, CEO, Blue Star Strategies

*Blue Star Strategies  
888 17<sup>th</sup> Street NW  
Suite 800  
Washington, D.C. 20006*

**10:00 AM      Arrival of Devon at Blue Star Strategies**

**10:30 AM      Meeting with Staff of Senator Rob Portman**

Tyler Brace, Legislative Aide to Senator Rob Portman and Republican Staff  
Contact for Senate Ukraine Caucus

*Office of Senator Rob Portman (R-OH)  
448 Russell Senate Office Building  
2 Constitution Ave NE  
Washington, DC 20515  
Tel: (202) 224-3353*

Staffer: Sally Painter

**3:00 PM      Meeting with Staff of Senator Jeanne Shaheen**

Josh Lucas, Foreign Policy Advisor to Sen. Jeanne Shaheen  
Ariel Marshall, Energy Advisor to Sen. Jeanne Shaheen

*Office of Senator Jeanne Shaheen (D-OH)  
506 Hart Senate Office Building  
Washington, DC 20510  
Tel: (202) 224-2841*

Staffer: Karen

**5:30 PM Reception before Poroshenko Speech**  
**-7:00PM**

*Atrium by Congressional Auditorium  
U.S. Capitol Visitors Center  
First Street, NE  
Washington, DC 20515*

Staffers: Karen and Sally

N.B. Ticket and photo ID required  
Seating for speech begins at 6:00pm

**7:00 PM Speech by President Petro Poroshenko**  
**-8:00PM**

*Congressional Auditorium  
U.S. Capitol Visitors Center  
First Street, NE  
Washington, DC 20515*

**8:00 PM VIP Reception with President Petro Poroshenko**  
**-9:00PM**

*Congressional Meeting Room South  
U.S. Capitol Visitors Center  
First Street, NE  
Washington, DC 20515*

**THURSDAY, MARCH 31:**

**10:30 AM Meeting with Congressional Staff of Rep. Marcy Kaptur (D-OH)**

TJ Lowdermilk, Legislative Assistant (Energy)  
Nora Sarsour, Legislative Assistant (Foreign Affairs)

*Office of Congresswoman Marcy Kaptur (OH-9)  
2186 Rayburn House Office Building  
Washington, DC 20515  
Tel: (202) 225-4146*

Staffer: Jesica Lindgren

**12:15 PM USUBC Roundtable Briefing and Lunch with Vadym Pozharskyi**  
**-1:45 PM "Ukraine's Future Energy Security"**

Hosted by: Morgan Williams, President/CEO, U.S.-Ukraine Business Council

*1030 15<sup>th</sup> Street NW  
Suite 230E, Conference Room  
Washington, DC 20005*

**2:30 PM Meeting with Hunter Biden**

**-3:00 PM**

Hunter Biden, Director, Burisma Holdings

*Rosemont Seneca Partners  
1010 Wisconsin Ave NW  
Suite 705  
Washington, DC 20007  
Tel: (202) 333-1880*

Staffer: Karen

**3:30 PM Meeting with State Department Officials**

**-4:15PM**

Alex Orr, Ukraine Desk Officer, State Department  
Marc Gartner, Ukraine Desk Officer, State Department  
Leo Gallagher, Bureau of Energy Resources, State Department

*2201 C Street NW\*  
Washington, D.C. 20520  
Tel: (202) 647-5998*

*\*Note: Alex and Marc to meet you outside the C street entrance*

Staffer: Karen

**7:00 PM Dinner with Karen and Sally**

Karen Tramontano, CEO, Blue Star Strategies  
Sally Painter, COO, Blue Star Strategies

*Location to be determined*

**FRIDAY, APRIL 1:**

**5:20 PM Departure from Washington**

## BACKGROUND

### Office of Senator Rob Portman (R-OH)



**Senator Rob Portman** is an influential Republican politician who is currently the junior United States Senator from Ohio, in office since 2011. Portman won his first election in 1993, earning a seat in the U.S. House of Representatives. Portman became a U.S. trade representative under President George W. Bush in 2005. He also served as Bush's budget director from 2006 to 2007. In 2010, Portman won his bid for the U.S. Senate. Portman is a member of the Finance Committee, Committee On Homeland Security And Governmental Affairs, Energy And Natural Resources Committee, and Committee On The Budget.

Senator Portman is also the co-chair of the Senate Ukraine Caucus, which was inaugurated in February 2015 to “strengthen the political, military, economic, and cultural relationship between the United States and Ukraine.” Portman has been a vocal advocate on behalf of Ukraine in the Senate, arguing for increased military assistance to Ukraine, speaking out in favor of loan guarantees to the country, and writing several op-eds on the subject. Senator Portman has also participated in two Congressional delegations to Ukraine, met with President Petro Poroshenko after his address to Congress in September 2014, and co-sponsored the Ukraine Freedom Support Act of 2014.

**Tyler Brace** is a legislative assistant to Senator Rob Portman. His legislative responsibilities include the armed services and military, defense, foreign affairs, homeland security, intelligence issues, judiciary issues, and veterans’ affairs. He is also the Republican Staff contact for the Senate Ukraine Caucus, which is co-chaired by Senator Portman. In this capacity, he travelled to Ukraine in October 2014, to serve as an election monitor for Ukraine’s parliamentary elections and meet with key Ukrainian and U.S. Embassy officials. Previously, Tyler worked in the office of Congressman Michael Turner.

**Office of Senator Jeanne Shaheen (D-NH)**



**Senator Jeanne Shaheen** is the senior United States Senator from New Hampshire, in office since 2009. She also served as Governor of New Hampshire from 1997 to 2003, and remains the only woman in U.S. history to be elected as both a Governor and a U.S. Senator. She is a member of the Senate Committees on Armed Services, Appropriations, the Small Business and Entrepreneurship Committee, and the Committee on Foreign Relations. She is the ranking member of the Subcommittee on Europe and Regional Cooperation.

Senator Shaheen is also a vice chair of the Senate Ukraine Caucus, which was inaugurated in February 2015 to strengthen ties between the United States and Ukraine. Shaheen has been a strong advocate for Ukraine, speaking frequently of the need to increase military and financial aid to the country and to punish Russia with sanctions. Senator Shaheen led a Congressional delegation to Ukraine in October 2015, where she met with President Poroshenko and Prime Minister Yatsenyuk, and urged the country to follow through on anti-corruption reforms.

**Josh Lucas** is the Senior Defense and Foreign Policy Advisor to Senator Jeanne Shaheen. He advises her on her work in the Foreign Relations Committee and on relevant foreign policy or military legislation.

**Ariel Marshall** is the Energy Policy Advisor to Senator Jeanne Shaheen.

**Office of Rep. Marcy Kaptur (D-OH)**



**Congresswoman Marcy Kaptur**, who represents Ohio's Ninth Congressional District, is currently serving her sixteenth term in the U.S. House of Representatives. She is the senior-most woman in the House and the longest-serving woman from Ohio in history. Congresswoman Kaptur ranks among the most senior Members of the 114th Congress. She sits on the influential House Committee on Appropriations.

Congresswoman Kaptur is also the co-chair of the Congressional Ukrainian Caucus, which aims to increase U.S.-Ukraine ties and lend support for Ukraine in its process of democratization and market-oriented reforms. Congresswoman Kaptur has been a consistent supporter of Ukraine since her first term in 1983. She has made at least a dozen trips to Ukraine over the years, and has met with many Ukrainian leaders and embassy officials during her time in Washington. She has been featured in Ukrainian national media outlets *Ukraine Today* and *TSN.ua* for her advocacy of providing defensive aid and financial assistance to Ukraine.



**TJ Lowdermilk** is a Legislative Assistant in the Office of Representative Marcy Kaptur. He advises the Congresswoman on energy, natural resources, and defense issues, among other matters. His primary responsibility is to handle Appropriations Committee and Subcommittee work for the Department of Energy. He previously worked as a legislative fellow in the Office of Representative Matthew Cartwright.



**Nora Sarsour** is a Legislative Assistant in the Office of Representative Marcy Kaptur. She advises the Congresswoman on foreign affairs, with particular interest in Ukraine, Poland, Hungary, Russia, and the Middle East. Nora previously worked in the Office of Representative Jim Moran and as a Congressional Staff Assistant in the White House's Presidential Personnel Office.

## State Department

### **Office of Ukraine, Moldova, and Belarus Affairs [EUR/UMB]**

The Office of Ukraine, Moldova, and Belarus Affairs is an office within the State Department's Bureau of European and Eurasian Affairs. EUR/UMB coordinates U.S. foreign policy with Ukraine, Moldova and Belarus. The office serves as the link between the three embassies, bureaus and offices within the Department, and a wide range of U.S. Government agencies. EUR/UMB works closely with posts in the development and implementation of U.S. political and economic strategy for each country and for the region. The overarching goal is to help these countries develop into nations that are democratic, prosperous, secure within their own borders, and free to become full partners in the Euro-Atlantic community.



#### **Alexander Orr, Ukraine Desk Officer**

Alexander Orr is a desk officer for Ukraine at the State Department's Office of Ukraine, Moldova, and Belarus Affairs. He has worked for the State Department since August 2009 at various postings both in Washington, D.C. and abroad. Alex has worked as the Vice Consul at the U.S. Embassy in Astana, Kazakhstan; an Economic Officer at the U.S. Embassy in Bogota, Colombia; and a Trade and Commercial Officer at the U.S. Consulate General in Karachi, Pakistan. Prior to joining the Foreign Service, Alex worked as an Emerging Markets

Equities Analyst at JP Morgan Chase, and a strategy consultant for Oliver Wyman in New York.

#### **Marc Gartner, Ukraine Desk Officer**

Marc Gartner is an Economic Officer at the Ukraine desk in the State Department's Office of Ukraine, Moldova, and Belarus Affairs. Marc previously served in the Economic Section at the U.S. Embassy in Kyiv, Ukraine. He holds a Master of Business Administration from UCLA. Prior to joining the Foreign Service, Marc worked in finance in Los Angeles, California.

### **Bureau of Energy Resources [ENR]**

The Bureau of Energy Resources is a State Department bureau first established in October 2011. The Bureau has three principal goals:

- 1) To manage the geopolitics of today's energy economy through vigorous diplomacy with producers and consumers;
- 2) To stimulate market forces for transformational policies in alternative energy, electricity, development and reconstruction;
- 3) To increase access to energy in developing countries, expand good governance, and deepen transparency.

#### **Leo Gallagher, Officer at Bureau of Energy Resources**

Leo Gallagher is an officer at the State Department's Bureau of Energy Resources. Leo's previous roles have included work as an Economic/Commercial Officer at the U.S. Embassy in Barbados.





# Burisma Holdings Ltd.

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Washington, D.C. Meetings

**Devon Archer**

**March 29-April 1, 2016**

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**Washington, D.C.**

**WEDNESDAY, MARCH 30:**

**10:00 AM      Arrival for Briefing at Blue Star Strategies**

Sally Painter, COO, Blue Star Strategies

*Blue Star Strategies  
888 17<sup>th</sup> Street NW  
Suite 800  
Washington, D.C. 20006*

**10:30 AM      Meeting with Staff of Senator Rob Portman**

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Contact for Senate Ukraine Caucus

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Staffer: Karen

**5:30 PM      Reception before Poroshenko Speech  
-7:00PM**

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U.S. Capitol Visitors Center  
First Street, NE  
Washington, DC 20515*

Staffers: Karen and Sally

N.B. Ticket and photo ID required  
Seating for speech begins at 6:00pm

**7:00 PM**      **Speech by President Petro Poroshenko**  
**-8:00PM**

*Congressional Auditorium  
U.S. Capitol Visitors Center  
First Street, NE  
Washington, DC 20515*

**THURSDAY, MARCH 31:**

**10:30 AM**      **Meeting with Congressional Staff of Rep. Marcy Kaptur (D-OH)**

TJ Lowdermilk, Legislative Assistant (Energy)  
Nora Sarsour, Legislative Assistant (Foreign Affairs)

*Office of Congresswoman Marcy Kaptur (OH-9)  
2186 Rayburn House Office Building  
Washington, DC 20515  
Tel: (202) 225-4146*

Staffer: Jesica Lindgren

**12:15 PM**      **USUBC Roundtable Briefing and Lunch with Vadym Pozharskyi**  
**-1:45 PM**      **“Ukraine’s Future Energy Security”**

Hosted by: Morgan Williams, President/CEO, U.S.-Ukraine Business Council

*1030 15<sup>th</sup> Street NW  
Suite 230E, Conference Room  
Washington, DC 20005*

**2:30 PM**      **Meeting with Hunter Biden**  
**-3:00 PM**

Hunter Biden, Director, Burisma Holdings

*Rosemont Seneca Partners  
1010 Wisconsin Ave NW  
Suite 705  
Washington, DC 20007  
Tel: (202) 333-1880*

Staffer: Karen

**7:00 PM      Dinner with Karen and Sally**

Karen Tramontano, CEO, Blue Star Strategies  
Sally Painter, COO, Blue Star Strategies

*Location to be determined*

## BACKGROUND

### Office of Senator Rob Portman (R-OH)



**Senator Rob Portman** is an influential Republican politician who is currently the junior United States Senator from Ohio, in office since 2011. Portman won his first election in 1993, earning a seat in the U.S. House of Representatives. Portman became a U.S. trade representative under President George W. Bush in 2005. He also served as Bush's budget director from 2006 to 2007. In 2010, Portman won his bid for the U.S. Senate. Portman is a member of the Finance Committee, Committee On Homeland Security And Governmental Affairs, Energy And Natural Resources Committee, and Committee On The Budget.

Senator Portman is also the co-chair of the Senate Ukraine Caucus, which was inaugurated in February 2015 to “strengthen the political, military, economic, and cultural relationship between the United States and Ukraine.” Portman has been a vocal advocate on behalf of Ukraine in the Senate, arguing for increased military assistance to Ukraine, speaking out in favor of loan guarantees to the country, and writing several op-eds on the subject. Senator Portman has also participated in two Congressional delegations to Ukraine, met with President Petro Poroshenko after his address to Congress in September 2014, and co-sponsored the Ukraine Freedom Support Act of 2014.

**Tyler Brace** is a legislative assistant to Senator Rob Portman. His legislative responsibilities include the armed services and military, defense, foreign affairs, homeland security, intelligence issues, judiciary issues, and veterans’ affairs. He is also the Republican Staff contact for the Senate Ukraine Caucus, which is co-chaired by Senator Portman. In this capacity, he travelled to Ukraine in October 2014, to serve as an election monitor for Ukraine’s parliamentary elections and meet with key Ukrainian and U.S. Embassy officials. Previously, Tyler worked in the office of Congressman Michael Turner.

**Office of Senator Jeanne Shaheen (D-NH)**



**Senator Jeanne Shaheen** is the senior United States Senator from New Hampshire, in office since 2009. She also served as Governor of New Hampshire from 1997 to 2003, and remains the only woman in U.S. history to be elected as both a Governor and a U.S. Senator. She is a member of the Senate Committees on Armed Services, Appropriations, the Small Business and Entrepreneurship Committee, and the Committee on Foreign Relations. She is the ranking member of the Subcommittee on Europe and Regional Cooperation.

Senator Shaheen is also a vice chair of the Senate Ukraine Caucus, which was inaugurated in February 2015 to strengthen ties between the United States and Ukraine. Shaheen has been a strong advocate for Ukraine, speaking frequently of the need to increase military and financial aid to the country and to punish Russia with sanctions. Senator Shaheen led a Congressional delegation to Ukraine in October 2015, where she met with President Poroshenko and Prime Minister Yatsenyuk, and urged the country to follow through on anti-corruption reforms.

**Josh Lucas** is the Senior Defense and Foreign Policy Advisor to Senator Jeanne Shaheen. He advises her on her work in the Foreign Relations Committee and on relevant foreign policy or military legislation.

**Ariel Marshall** is the Energy Policy Advisor to Senator Jeanne Shaheen.

**Office of Rep. Marcy Kaptur (D-OH)**



**Congresswoman Marcy Kaptur**, who represents Ohio's Ninth Congressional District, is currently serving her sixteenth term in the U.S. House of Representatives. She is the senior-most woman in the House and the longest-serving woman from Ohio in history. Congresswoman Kaptur ranks among the most senior Members of the 114th Congress. She sits on the influential House Committee on Appropriations.

Congresswoman Kaptur is also the co-chair of the Congressional Ukrainian Caucus, which aims to increase U.S.-Ukraine ties and lend support for Ukraine in its process of democratization and market-oriented reforms. Congresswoman Kaptur has been a consistent supporter of Ukraine since her first term in 1983. She has made at least a dozen trips to Ukraine over the years, and has met with many Ukrainian leaders and embassy officials during her time in Washington. She has been featured in Ukrainian national media outlets *Ukraine Today* and *TSN.ua* for her advocacy of providing defensive aid and financial assistance to Ukraine.



**TJ Lowdermilk** is a Legislative Assistant in the Office of Representative Marcy Kaptur. He advises the Congresswoman on energy, natural resources, and defense issues, among other matters. His primary responsibility is to handle Appropriations Committee and Subcommittee work for the Department of Energy. He previously worked as a legislative fellow in the Office of Representative Matthew Cartwright.



**Nora Sarsour** is a Legislative Assistant in the Office of Representative Marcy Kaptur. She advises the Congresswoman on foreign affairs, with particular interest in Ukraine, Poland, Hungary, Russia, and the Middle East. Nora previously worked in the Office of Representative Jim Moran and as a Congressional Staff Assistant in the White House's Presidential Personnel Office.

## Karen Tramontano

---

**From:** Karen Tramontano  
**Sent:** Tuesday, March 22, 2016 6:06 PM  
**To:** Andrii Telizhenko; Sally Painter  
**Subject:** RE: Andrii Telizhenko (Embassy of Ukraine)

Dear Andrii

Thank you very much. It was indeed a pleasure to meet you. As I mentioned, Sally and I will be in Kiev April 6, 7 and 8. The attorney from the U.S. John Buretta who has reviewed the matter we discussed and I would like to meet the General Prosecutor on April 6<sup>th</sup> – preferable in the afternoon. I will reach out to John today to see whether he has any flexibility and get back to you ASAP. Thank you again for your assistance.

Most sincerely,  
Karen

**From:** Andrii Telizhenko [mailto:telizhenko.andriy@gmail.com]  
**Sent:** Tuesday, March 22, 2016 5:14 PM  
**To:** Karen Tramontano <Karen.Tramontano@bluestarstrategies.com>; Sally Painter <Sally.Painter@bluestarstrategies.com>  
**Subject:** Andrii Telizhenko (Embassy of Ukraine)

Dear Sally, Karen,

It was nice seeing you at the Embassy today, thank you for coming and your help. This is my email that I respond 24/7 if you have any questions.

My cell 202 230 0141

With Regards,

Andrii Telizhenko

--

Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
III Secretary of the Embassy of Ukraine to the USA  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

## Karen Tramontano

---

**From:** Andrii Telizhenko <telizhenko.andriy@gmail.com>  
**Sent:** Friday, June 3, 2016 7:33 AM  
**To:** Karen Tramontano  
**Subject:** Re: Going to Ukraine

Karen,

Hi, hope you are well. I am back in Kyiv, had a long flight back, getting out of the jet lag. I was at the PGO today, they are asking me to come back- still thinking.

Next week there will be a new Deputy on international Relations - I would recommend you to send the letter to the international office. There are mostly new assistants right now. If you could send the letter also this week I will pass it to Mr. Lutsenko.

Also to understand what is the situation in the PGO and the Ministry of Internal Relations - I would recommend to have an unofficial meeting with former Prosecutor General Mr. Yarema?

Andrii

On Wednesday, May 25, 2016, Karen Tramontano <[Karen.Tramontano@bluestarstrategies.com](mailto:Karen.Tramontano@bluestarstrategies.com)> wrote:

Dear Andrii

I hope you are doing well. We'd love to have an update on your plans. I want to let you know that we are planning to travel to Ukraine the week of the 20<sup>th</sup>. We are traveling primarily to meet the new Prosecutor General. We will be sending a letter to the new prosecutor general requesting a meeting. Once again we would like your advice. We will draft a brief note from John Buretta requesting a meeting – but we are not sure how to directly send it to the new prosecutor and to whom to copy? Should we send it to his e mail? Should we send it to his assistant? If so, does he have a new assistant? Should we also send a copy to the head of international affairs for the office? Would really appreciate your advice and counsel. Thank you very much

All the best

Karen

Karen A. Tramontano

Blue Star Strategies

## Karen Tramontano

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**From:** Andrii Telizhenko <telizhenko.andriy@gmail.com>  
**Sent:** Tuesday, June 7, 2016 10:13 AM  
**To:** Karen Tramontano  
**Subject:** Andrii Telizhenko

Karen,

Hi, hope all is well. I wanted to get back on the PGO meeting. Last week received all the documents, all is good. However, I wanted to recommend to in the official request letter to take away Mr. Zlochevskiys company name and his name, just request the meeting and put just the topics you wanted to discuss except Zlochevskiy. I will brief you more when you come to Kyiv, but because the President does not really like Zlochevskiy - he has personal issues Mr. Lutcenko will deny the meeting if his name will stay in the letter. You can raise the issue during the meeting, but on the official letters I would recommend to remove it.

I spoke to the chief of staff, he is ready to meet but please take off the name of company and his name.

Thank you

Andrii

--  
--  
Андрій Теліженко | Andrii Telizhenko  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

## Karen Tramontano

---

**From:** Andrii Telizhenko <telizhenko.andriy@gmail.com>  
**Sent:** Friday, June 10, 2016 7:58 AM  
**To:** Karen Tramontano  
**Subject:** Re: GPO

I'll keep you posted. Have a nice weekend)

On Friday, June 10, 2016, Karen Tramontano <Karen.Tramontano@bluestarstrategies.com> wrote:  
thank you very much

Sent from my iPhone

On Jun 10, 2016, at 7:34 AM, Andrii Telizhenko <telizhenko.andriy@gmail.com> wrote:

Karen, Sally,

Yes, received the documents. I was just at the PGO - passed the letters to the Chief of Staff he said that next week (Tuesday) should confirm the time and what exact date of the meeting.

Waiting to see you in Kyiv.

Andrii

On Friday, June 10, 2016, Karen Tramontano <Karen.Tramontano@bluestarstrategies.com> wrote:

Dear Andrii

Thank you for your assistance. I hope you received the revised letter. Is there any news to report?  
? Look forward to seeing you in Kiev

All the best

Karen

Sent from my iPhone

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Андрій Теліженко | Andrii Telizhenko  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

--

--

Андрій Теліженко | Andrii Telizhenko



[REDACTED]

[REDACTED]

-----Original Message-----

From: [REDACTED]  
Sent: Monday, June 27, 2016 9:09 AM  
To: 'Sally Painter'  
Cc: Pero Jolevski; [REDACTED] D\_Scheduling  
Subject: RE: Coffee with Tony

Sally -

Thanks for following up - I'm looping in our scheduling team and some other colleagues.

Regards,

[REDACTED]

-----Original Message-----

From: Sally Painter [<mailto:Sally.Painter@bluestarstrategies.com>]  
Sent: Monday, June 27, 2016 9:05 AM  
To: [REDACTED]  
Cc: Pero Jolevski  
Subject: Coffee with Tony

Dear [REDACTED]

Per my conversation with Tony at the Truman event, Karen Tramontano and I would like to have a brief coffee with Tony at his earliest convenience regarding some troubling events we are seeing in Ukraine. (He said yes).

Karen was President Clinton's Deputy Chief of Staff and we are just back from Kiev.

Many thanks for your help. With warm regards sally

Sent from my iPhone

**From:**Fried, Daniel  
**Sent:**Thu, 8 Sep 2016 12:02:36 -0400  
**To:**'Sally Painter'  
**Subject:**RE: Update

Good to hear.

---

**From:** Sally Painter [mailto:Sally.Painter@bluestarstrategies.com]  
**Sent:** Thursday, September 08, 2016 11:37 AM  
**To:** Fried, Daniel  
**Subject:** Update

Dear Mr. Ambassador,

Quick update. Masha called Karen back and they had a very good conversation.

She said she would clear up any confusion around the misrepresentation that we are representing Andriy Klyuyev – which as you know we are not and have never met him.

Thank you very much for your guidance, support and most importantly friendship. Karen and I deeply appreciate it and you. Warmest sally

Sally Painter  
Co-Founder and COO  
Blue Star Strategies



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## Sally Painter

---

**From:** Sally Painter  
**Sent:** Monday, September 26, 2016 6:05 PM  
**To:** Vadym Pozharskyi  
**Cc:** Karen Tramontano; Sean Keeley  
**Subject:** USAID Update

Dear Vadym,

Greetings. I had a good conversation today with Susan Fritz, the new USAID Mission Director in Ukraine, and her Deputy Joel Sandefur. Here are the takeaways:

### GENERAL COMMENTS

- USAID is currently in the process of developing a new five-year strategy in Ukraine.
- One of USAID's main priorities is anti-corruption, including programs on e-governance and e-procurement.
- USAID will also be pushing judicial reform and decentralization, and will continue to advocate for civil society groups to act as watchdogs and advocates for reform.
- We raised our concern that anti-corruption efforts by civil society in Ukraine have too often been based on groundless allegations and not the rule of law. Susan said that she is aware of the current allegations against leading "reformers" in Parliament but is still trying to get her bearings as she is new in the country. She agreed that this is a very gray area and she needed to learn a lot more before making any conclusions.

### BURISMA AND ENERGY

- In the energy sector, USAID's priorities include programs on energy efficiency and reducing waste.
- We stressed that Ukraine needs to attract FDI in the energy sector, and that the best way to do so is to work with existing investors and companies in the country, like Burisma.
- We discussed how we are working with Burisma on issues of corporate social responsibility and energy diversification.
- We mentioned that Burisma is the largest private gas producer in Ukraine and has worked with Steve Gonyea on the Municipal Energy Reform Project (MERP), which Susan noted is winding down in early 2017 so there is not much activity going forward. (Going forward we should work with her and Joel.)
- With regard to further cooperation between Burisma and USAID, Susan and Joel said they are open to a discussion.
- We agreed to introduce you to Joel and Susan via e-mail so we can set up a meeting to discuss potential further cooperation.

It was a constructive and good discussion. She seems to be open to making her own evaluation of the company, rather than taking others views. She also said she would be happy to meet Karen and me when we are next in Kiev.

Happy to discuss further.

with warmest personal regards,

sally

Sally Painter  
Co-Founder and COO  
Blue Star Strategies



(+1) 202-833-1268 direct  
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[sally.painter@bluestarstrategies.com](mailto:sally.painter@bluestarstrategies.com)

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## Sally Painter

---

**From:** Sally Painter  
**Sent:** Monday, October 31, 2016 1:18 PM  
**To:** Vadym Pozharskyi  
**Cc:** Karen Tramontano; Pero Jolevski  
**Subject:** Re: meeting follow up

Great

Sent from my iPhone

On Oct 31, 2016, at 11:02 AM, Vadym Pozharskyi <[vadym.pozharskyi@burisma.com](mailto:vadym.pozharskyi@burisma.com)> wrote:

Dear colleagues,

This is to let you know that today I had a brief 30 minute meeting with our colleagues from the USAID: I presented the company, we exchanged ideas and agreed to stay in touch should any opportunities arise for our cooperation in close future.

Thank you for your assistance with this,

Best,

Vadym

----- Forwarded message -----

**From:** Vadym Pozharskyi <[vadym.pozharskyi@burisma.com](mailto:vadym.pozharskyi@burisma.com)>

**Date:** Mon, Oct 31, 2016 at 6:00 PM

**Subject:** meeting follow up

**To:** Susan Fritz <[sfritz@usaid.gov](mailto:sfritz@usaid.gov)>, Joel Sandefur <[jsandefur@usaid.gov](mailto:jsandefur@usaid.gov)>, Natalia Kolesnik <[nkolesnik@usaid.gov](mailto:nkolesnik@usaid.gov)>

Dear Susan and Joel

Thank you so much for our constructive meeting today. It was my pleasure. I hope this meeting will lead to our productive cooperation in the future.

Stay in touch.

Very best,

Vadym

## Karen Tramontano

---

**From:** Karen Tramontano  
**Sent:** Saturday, November 19, 2016 8:05 AM  
**To:** Yovanovitch, Marie L  
**Cc:** Wampler, Dianne  
**Subject:** Re: Coming to Ukraine

---

great i'll follow up with dianne directly. c u soon

Sent from my iPhone

On Nov 19, 2016, at 7:30 AM, Yovanovitch, Marie L <[YovanovitchML2@state.gov](mailto:YovanovitchML2@state.gov)> wrote:

<image003.gif>  
Karen—

---

Look forward to seeing you. My assistant Di will be in touch to set up a time.

Best, M

**Marie L. Yovanovitch**  
Ambassador  
U.S. Embassy Kyiv  
Office: +380-44-521-5479  
Email: [YovanovitchML2@state.gov](mailto:YovanovitchML2@state.gov)

This email is UNCLASSIFIED.

---

**From:** Karen Tramontano [<mailto:Karen.Tramontano@bluestarstrategies.com>]  
**Sent:** Friday, November 18, 2016 4:41 PM  
**To:** Yovanovitch, Marie L  
**Subject:** Coming to Ukraine

Dear Madame Ambassador

I hope you are well. As you know things are a bit in flux in Washington these days. I will be in Kiev sometime the week of December 5<sup>th</sup> and I have flexibility in planning my visit so I was wondering if there is any day that week where we could meet perhaps for a cup of coffee or lunch. I know your schedule is very busy so I will accommodate any date/time that works for you. Thank you very much and I look forward to meeting

My warmest regards

Karen

Karen A. Tramontano

10/5/16

Blue Star Strategies

<image004.png>

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255057

## Pero Jolevski

---

**From:** Pero Jolevski  
**Sent:** Wednesday, December 14, 2016 9:58 AM  
**To:** Singh, Reggie X  
**Subject:** RE: Requesting a meeting

Great! See you later today.

---

Pero

---

**From:** Singh, Reggie X [mailto:SinghRX@state.gov]  
**Sent:** Wednesday, December 14, 2016 9:56 AM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** RE: Requesting a meeting

Pero- A couple of my colleagues on the Ukraine desk may join this meeting as well. See you at 4:30 today.

---

**Official - Transitory**  
**UNCLASSIFIED**

---

**From:** Pero Jolevski [mailto:Pero.Jolevski@bluestarstrategies.com]  
**Sent:** Tuesday, December 13, 2016 10:44 AM  
**To:** Singh, Reggie X  
**Subject:** RE: Requesting a meeting

Dear Reggie,

The names of the people attending the meeting with you are the following:

  
Karen Tramontano  
Pero Jolevski

If you need any additional information please let me know.

---

We look forward to meeting you.

Best regards,  
Pero

---

**From:** Singh, Reggie X [mailto:SinghRX@state.gov]  
**Sent:** Friday, December 09, 2016 5:26 PM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** RE: Requesting a meeting

PJSS039

For pre-clearance, don't need ID info, just full names of all attendees. But you should bring proper ID with you to enter the building.

Official  
UNCLASSIFIED

---

**From:** Pero Jolevski [mailto:Pero.Jolevski@bluestarstrategies.com]  
**Sent:** Friday, December 09, 2016 5:20 PM  
**To:** Singh, Reggie X  
**Subject:** RE: Requesting a meeting

Excellent. Thank you. I will send you ID and passport information on Monday if you don't mind.

Have a nice weekend!  
Pero

---

**From:** Singh, Reggie X [mailto:SinghRX@state.gov]  
**Sent:** Friday, December 09, 2016 5:19 PM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** RE: Requesting a meeting

Yes, that should work. Let's lock it in.

Official  
UNCLASSIFIED

---

**From:** Pero Jolevski [mailto:Pero.Jolevski@bluestarstrategies.com]  
**Sent:** Friday, December 09, 2016 5:14 PM  
**To:** Singh, Reggie X  
**Subject:** RE: Requesting a meeting

Thank you, Reggie. Would it be possible to meet at 4:30 pm on December 14? We have a meeting in the Senate ending at 3:30 pm so want to make sure we are on time.

Please let me know if that works with you.



Pero

---

**From:** Singh, Reggie X [mailto:SinghRX@state.gov]  
**Sent:** Friday, December 09, 2016 5:12 PM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** RE: Requesting a meeting

Hi Pero- Dec.14 might work to meet. Do you have available times that day?

Official  
UNCLASSIFIED

---

**From:** Pero Jolevski [mailto:Pero.Jolevski@bluestarstrategies.com]  
**Sent:** Friday, December 09, 2016 12:57 PM  
**To:** Singh, Reggie X  
**Subject:** RE: Requesting a meeting

BSS040

Dear Reggie,

Just checking to see if a meeting would be possible next week?  
[REDACTED]

Many thanks  
Pero

---

**From:** Pero Jolevski  
**Sent:** Wednesday, December 07, 2016 1:55 PM  
**To:** 'Singh, Reggie X' <SinghRX@state.gov>  
**Subject:** RE: Requesting a meeting

Dear Reggie,

I am writing to follow up to see if you are available to meet next week. At the meeting it will be [REDACTED]  
[REDACTED] and Karen Tramontano.

Many thanks  
Pero

---

**From:** Singh, Reggie X [mailto:SinghRX@state.gov]  
**Sent:** Friday, December 02, 2016 5:34 PM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Subject:** RE: Requesting a meeting

Hi Pero- sorry for the delay in responding. Can you give me a call on Monday to discuss in more detail?

Regards,  
Reggie Singh  
Econ Unit Chief  
Office of Ukrainian Affairs  
U.S. Dept. of State

tel. 202-647-5998

Official - Transitory  
UNCLASSIFIED

---

**From:** Pero Jolevski [mailto:Pero.Jolevski@bluestarstrategies.com]  
**Sent:** Wednesday, November 30, 2016 11:41 AM  
**To:** Singh, Reggie X  
**Cc:** Karen Tramontano  
**Subject:** Requesting a meeting  
**Importance:** High

Dear Mr. Singh,

I am writing to request a meeting with you and [REDACTED]  
[REDACTED] international energy company headquartered in Ukraine with operations in the country as well as other markets such as Italy and Germany. Burisma is an oil and gas exploration company, and recently expanded its operations with geothermal energy production. [REDACTED] in Washington DC on the week of December 12. Given your role with the State Department we wanted to check if you are available for a meeting to brief you on the political and commercial developments in Ukraine. Would you be available for a short meeting on December 13 or 14?

1355041

For your background, the Board of Directors of Burisma consist of U.S. nationals and the company uses U.S. technology for its operations. At the meeting it will be [REDACTED] and Karen Tramontano, CEO of Blue Star Strategies – an international consulting firm based in Washington, DC. Karen also served as the Deputy Chief of Staff of President Clinton. Please see attached bios for your consideration.

Many thanks in advance. If you have any questions please let me know.

Best regards,  
Pero

Pero Jolevski  
Blue Star Strategies  
[REDACTED]  
(+1)-202-833-1281  
(+1)-202-822-9088 fax

[pero.jolevski@bluestarstrategies.com](mailto:pero.jolevski@bluestarstrategies.com)

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BSS042

## Sally Painter

---

**From:** Pero Jolevski  
**Sent:** Tuesday, January 16, 2018 6:05 PM  
**To:** Burisma  
**Cc:** Anna Smaga; Karen Tramontano; Sally Painter  
**Subject:** Invitation Letter  
**Attachments:** Invitation - Zlochevskyi.pdf

Dear Vadym,

Please find attached letter from Ambassador Herbst for the visa application purposes.

Best regards  
Pero

Pero Jolevski  
Blue Star Strategies

(+1)-202-833-1281  
(+1)-202-822-9088 fax

[pero.jolevski@bluestarstrategies.com](mailto:pero.jolevski@bluestarstrategies.com)

888 17th Street NW, Suite 800  
Washington, DC 20006

[www.bluestarstrategies.com](http://www.bluestarstrategies.com)

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**INVITATION**

Mykola Zlochevskyi  
10-A Ryleyeva Str.  
04073, Kyiv  
Ukraine

Dear Mr. Zlochevskyi,

The Atlantic Council invites you to attend a **Ukraine Strategy Session** on **March 19, 2018** from **12:00 p.m. to 3:00 p.m.** at the **Atlantic Council headquarters** (1030 15<sup>th</sup> Street NW, 12<sup>th</sup> Floor, West Elevators).

The session will feature prominent international policy makers and experts. To RSVP, please email my colleague Tamari Ramishvili at [tramishvili@atlanticcouncil.org](mailto:tramishvili@atlanticcouncil.org).

We hope you can join us for this important and timely strategy session.

Best,

John

A handwritten signature in black ink, appearing to read "John Herbst".

**John Herbst** Ambassador (Ret.)  
Director, Eurasia Center

## Karen Tramontano

---

**From:** Pero Jolevski  
**Sent:** Friday, March 3, 2017 12:15 PM  
**To:** Karen Tramontano  
**Cc:** Jesica Lindgren; Norman Rozenberg; Sally Painter  
**Subject:** RE: Burisma background; March 8 meeting  
**Attachments:** Pozharskyj\_BriefingBook\_DC\_March7-112017.pdf

Dear Karen,

Attached is the briefing book for Vadym. The only outstanding point is the location of the meeting with Hunter. I will speak with Joan early next week to see if their office will be ready. If their office is not ready, Joan suggested that Vadym and Hunter meet at the Four Seasons Hotel.

On March 7, when Vadym arrives, we marked the meeting at BSS. If you would like to meet him at his hotel we can change that.

Thanks  
Pero

-----Original Message-----

**From:** Karen Tramontano  
**Sent:** Monday, February 27, 2017 3:12 PM  
**To:** Pero Jolevski <Pero.Jolevski@bluestarstrategies.com>  
**Cc:** Jesica Lindgren <jesica.lindgren@bluestarstrategies.com>; Norman Rozenberg <Norman.Rozenberg@bluestarstrategies.com>; Sally Painter <Sally.Painter@bluestarstrategies.com>  
**Subject:** Re: Burisma background; March 8 meeting

thanks. i have jaines cv and jes has charles

Sent from my iPhone

> On Feb 27, 2017, at 2:59 PM, Pero Jolevski <Pero.Jolevski@bluestarstrategies.com> wrote:

>

> Thanks, Karen. Will work on all points.

>

> Pero

>

> -----Original Message-----

> **From:** Karen Tramontano

> **Sent:** Monday, February 27, 2017 2:46 PM

> **To:** Jesica Lindgren <jesica.lindgren@bluestarstrategies.com>

> **Cc:** Norman Rozenberg <Norman.Rozenberg@bluestarstrategies.com>; Pero

> Jolevski <Pero.Jolevski@bluestarstrategies.com>; Sally Painter

> <Sally.Painter@bluestarstrategies.com>

> **Subject:** RE: Burisma background; March 8 meeting

>

> Pero

>

> Would you coordinate w/ Norman the briefing book and background material for Vadym. The meeting schedule is:  
>  
> Tuesday, March 7th arrival maybe check with Anna on his actual arrival and see if he needs a car... Norman could handle w/ Anna  
>  
> Upon arrival ...hotel check in followed by a meeting w/ the Blue Star Team ...  
>  
> You, Jessica, Norman and Sally - topics are:  
>  
> 1. Philanthropic Award  
> 2. Political Action - US  
> 3. Civil Society - Ukraine  
> 4. Engineers - if we have anything to say  
>  
> March 8  
>  
> 9:30 meeting .... Jaime ... (one on one)  
>  
> 11:30 meeting Charles (one on one)  
>  
> 2 pm Atlantic Council Sally - perhaps KT  
>  
> 3:30 return to hotel/free time  
>  
> 6:30 dinner Sally, Cofer Karen - Al Crostino (please confirm w/  
> Cofer)  
>  
> March 9  
>  
> Hotel/free time  
>  
> 11:00 meeting Hunter Biden - would you call Joan or Eric Schwerin in Hunter's Office - originally they asked for the meeting to be in our offices but I think their new offices are ready.  
>  
> Depart to Texas -- Anna knows the times it would be good to know  
>  
> We need to include the two cv's Jaime and Charles ...  
>  
> Thanks  
> -----Original Message-----  
> From: Jessica Lindgren  
> Sent: Monday, February 27, 2017 9:40 AM  
> To: Charles Di Leva <charlesdileva@gmail.com>  
> Cc: Karen Tramontano <Karen.Tramontano@bluestarstrategies.com>; Norman  
> Rozenberg <Norman.Rozenberg@bluestarstrategies.com>  
> Subject: Re: Burisma background; March 8 meeting  
>  
> Many thanks, Charles!  
> Best, Jessica  
>  
> Sent from my iPhone  
>

>> On Feb 26, 2017, at 8:22 PM, Charles Di Leva <charlesdileva@gmail.com> wrote:

>>

>> Dear Jesica,

>>

>> Attached please find my CV. Please let me know if you have any questions.

>>

>> Thanks again to you and Karen for your help in arranging the 11:30

>> meeting on the 8th. I look forward to meeting Vadym.

>>

>> Warm regards,

>>

>> Charles

>>

>>

>>

>>

>>

>> ----- Forwarded message -----

>> From: Jesica Lindgren <jesica.lindgren@bluestarstrategies.com>

>> Date: Wed, Feb 22, 2017 at 5:02 PM

>> Subject: Burisma background; March 8 meeting

>> To: Charles Di Leva <charlesdileva@gmail.com>

>> Cc: Karen Tramontano <Karen.Tramontano@bluestarstrategies.com>,  
>> Norman Rozenberg <Norman.Rozenberg@bluestarstrategies.com>

>>

>>

>>

>> Dear Charles,

>>

>>

>>

>> Thanks again for our meeting us yesterday. Here is some background

>> about Burisma Holdings for your review (attached and below).

>>

>>

>>

>> · Vadym Pozharskyi, Advisor to the Board of Directors, will be

>> in DC on Wed. March 8th. He would like to meet you at 4pm at our

>> offices if you are available?

>>

>> Vadym's bio: <http://burisma.com/en/director/vadim-pozharskij/> .

>> Please forward me your CV when you can, too.

>>

>>

>>

>> · Amb. Joseph Cofer Black is the newest member of the Board of

>> Directors. Good interview in the Kyiv Post about his interest in

>> joining the board:

>>

>> <https://www.kyivpost.com/business-wire/joseph-cofer-black-excited-joi>

>> n

>> -burismas-board-directors-focus-strategic-development-security-issues

>> -expand-burismas-global-opportunities.html

>>  
>>  
>>  
>> · Finally, here's a recap of Burisma's forum last year in  
>> Monaco, with planning underway for June 1, 2017:  
>>  
>> <http://www.prnewswire.com/news-releases/burisma-group-together-with-t>  
>> h  
>> e-prince-albert-ii-of-monaco-foundation-will-be-holding-a-european-fo  
>> r  
>> um-on-energy-security-for-the-future-new-sources-responsibility-susta  
>> i  
>> nability-300256320.html

>>  
>>  
>>  
>> Please let us know if any questions. Thanks in advance for your CV  
>> and confirming if 4pm on March 8th works for you here.

>>  
>>  
>> Best,

>>  
>>  
>>  
>>  
>> Jesica

>>  
>>  
>>  
>>  
>> Jesica Lindgren | Blue Star Strategies

>>  
>> 888 17th Street NW, Suite 800 | Washington, DC 20006

>>  
>> (Office) +1 202 833 1281 (Desk) +1 202 650 5466

>>  
>> (Cell) +1 202 615 9783 (Fax) +1 202 822 9088

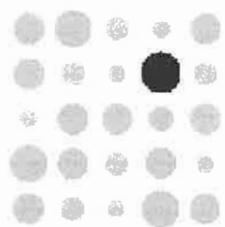
>>  
>> [jessica.lindgren@bluestarstrategies.com](mailto:jessica.lindgren@bluestarstrategies.com)

>>  
>> [www.bluestarstrategies.com](http://www.bluestarstrategies.com)

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>>  
>>  
>>  
>>

>> --  
>> Charles E. Di Leva  
>> <Burisma - Presentation rev.pptx>  
>> <Charles Di Leva CV Feb. 2017 .docx>



**BlueStar**  
Strategies

**Vadym Pozharskyi**  
**Washington, D.C. & Dallas, Texas**

---

**March 7 – 11, 2017**

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**Dr. Jaime Jaramillo-Vallejo.....**

**Charles Di Leva.....**

## BLUE STAR STRATEGIES CONTACT NUMBERS

Sally Painter, Chief Operating Officer:	Cell +1 301 580 1569
Karen Tramontano, Chief Executive Officer:	Cell +1 202 320 4102
Jesica Lindgren, General Counsel	Cell +1 202 615 9783
Pero Jolevski, Director	Cell +1 202 250 4272
Norman Rozenberg, Intern	Cell +1 732 824 1505

## AGENDA

### TUESDAY, MARCH 7:

3:20 PM Arrival in Washington, D.C.

**Driver** (*will greet you at international arrivals*)

*Ike, Tel: 240-463-7414*

#### **Hotel**

*Sofitel Lafayette Square  
806 15<sup>th</sup> Street, NW  
Washington, D.C.  
202-730-8800*

5:00 PM Meeting with Blue Star Team  
*Location: Blue Star Strategies, 888 17 Street NW, Suite 800  
With: Sally Painter, Jesica Lindgren, Pero Jolevski & Norman Rozenberg*

### WEDNESDAY, MARCH 8:

9:30 AM Meeting with Dr. Jaime Jaramillo-Vallejo  
*Location: Blue Star Strategies, 888 17 Street NW, Suite 800*

11:30 AM Meeting with Charles Di Leva  
*Location: Blue Star Strategies, 888 17 Street NW, Suite 800*

2:00 PM Meeting with Atlantic Council  
*Location: Atlantic Council, 1030 15 Street NW  
With: Ambassador John Herbst, Sally Painter*

3:30 PM Free time/Return to Hotel  
5:00 PM Meeting with Cofer Black  
*Location:* Blue Star Strategies, 888 17 Street NW, Suite 800

6:30 PM Dinner at Al Crostino  
*Location:* 1926 9 Street NW  
*With:* Karen Tramontano, Sally Painter & Cofer Black

**THURSDAY, MARCH 9:**

11:00 AM Meeting with Hunter Biden  
*Location:* TBD  
6:30 PM Depart for DCA Airport – Regan National Airport  
8:05 PM Depart for Dallas, Texas

**Hotel**

*Marriott Fort Worth West at Cityview.  
6400 Overton Ridge Blvd  
Fort Worth, TX 76132  
817-294-7600*

**FRIDAY, MARCH 10:**

6:00 PM Meeting with Aerotek  
*Location:* Marriott Fort Worth West at Cityview  
*With:* Justin Tredway & Missy Kanz

**SATURDAY, MARCH 11:**

1:10 PM Depart for DFW Airport  
4:10 PM Depart for Kiev

## ATLANTIC COUNCIL BACKGROUND



### **Ambassador John Herbst**

*Director, Dinu Patriciu Eurasia Center*

Ambassador Herbst served for thirty-one years as a foreign service officer in the US Department of State, retiring at the rank of career-minister. He was US ambassador to Ukraine from 2003 to 2006, when he worked to enhance US-Ukrainian relations, help ensure the conduct of a fair Ukrainian presidential election, and prevent violence during the Orange Revolution. Prior to that, he was ambassador to Uzbekistan (2000-03), where he played a critical role in the establishment of an American base to help conduct Operation Enduring Freedom in Afghanistan. He also promoted

improved US-Uzbek relations, in part by encouraging the government in Tashkent to improve its human rights record.

In his last four years at the State Department, he served as the coordinator for reconstruction and stabilization, leading the US government's civilian capacity in societies in transition from conflict or civil strife, and to provide support to countries at risk of instability. He oversaw the establishment of the Civilian Response Corps of the United States, the US civilian rapid response force for reconstruction and stabilization operations overseas.

Ambassador Herbst previously served as US consul general in Jerusalem; principal deputy to the Ambassador-at-Large for the Newly Independent States; the Director of the office of independent states and commonwealth affairs; director of regional affairs in the Near East Bureau; and at the embassies in Tel Aviv, Moscow, and Saudi Arabia.

He most recently served as director of the center for complex operations at National Defense University. He has received the Presidential Distinguished Service Award, the Secretary of State's Career Achievement Award, and the State Department's Distinguished Honor Award. Ambassador Herbst has written book chapters, articles, and op-eds on stability operations in Central Asia, Ukraine, and Russia. His writings have appeared in the New York Times, the Washington Post, the Atlantic, the National Interest, and Foreign Policy. He has been a frequent guest discussing the Ukraine crisis on television and radio.

Ambassador Herbst earned a bachelor of science in foreign service from Georgetown University's School of Foreign Service, Phi Beta Kappa, and a master of law and diplomacy, with distinction, from the Fletcher School at Tufts University. He also attended the Johns Hopkins University School of Advanced International Studies Bologna Center.

## **AEROTEK BACKGROUND INFORMATION**

Founded in 1983 by Steve Bisciotti and Jim Davis, Aerotek is one of the largest privately held staffing and recruitment services in the world. Aerotek was founded to support the aerospace and defense industries but has since expanded into the energy & utilities, construction, financial services, biotechnology, engineering, automotive, and other technical fields. Aerotek is headquartered outside of Baltimore, Maryland and has offices across the United States and around the world, including Germany, France, the United Kingdom, China, and Japan.



### **Justin Tredway**

*Account Executive, Aerotek*

Justin Tredway is an account executive based in Dallas/Fort Worth, Texas at Aerotek. He has been in this position since 2009, after receiving his Bachelor degree in Business Administration and Marketing from the University of North Texas. He specializes in the placement of technical professionals with various backgrounds in engineering including manufacturing, oil and gas, medical device as well as software, hardware and test engineering skill sets.

### **Missy Kanz**

*Technical Recruiter Lead, Aerotek*

Missy Kanz specializes in technical recruiting for oil & gas industry, traditional energy, and alternative energy. She has been at the Fort Worth office since 2015. Kanz obtained her Bachelor degree from Otterbein University.

**BOARD CANDIDATE CURRICULA VITAE**

JAIME JARAMILLO-VALLEJO, J.D., Ph.D.

**Address:**

6130 Ramshorn Drive  
McLean, VA 22101  
(703) 609 4623 C  
(703) 757 1306 H  
E-mail: jaimejv@gmail.com

Main highlights in the macroeconomic and financial area, especially banking, which have been the central theme of my career:

**Policy and Regulation:**

- As a lead member of *Colombia's Monetary Board*, led the government's technical team responsible for macroeconomic policy, and designed and championed a set of reforms that included: a free foreign exchange system replacing existing strict controls, banking regulations pioneering the principles of the Basle I Accords ahead of OECD countries, a Banking Law allowing more competition, and the elimination of all the quasi-fiscal burdens on financial institutions. These reforms still hold after two decades, with some refinements.
- Negotiated and drafted the Law for the *Central Bank of Bosnia and Herzegovina* (currency board), including the monetary system. This is one of the few currency boards in recent history that has survived for almost two decades.
- As a senior advisor, worked with the *Governor of the National Bank of Ukraine* in the monetary reform that substituted the *kupon* for the *Hryvnia*, a key element for ending hyperinflation in Ukraine.
- As lead advisor to *Slovenia on the monetary aspects of its independence*, helped develop macroeconomic policies that ensured the stability and convertibility of the new currency, and helped adapt the relevant regulations to the introduction of Slovenia's own currency, including a free exchange system. Also developed and put in place a working methodology for Slovenia's monetary policy.

**Supervision:**

- As one of the Colombian President's representatives in the *Advisory Council of the Superintendency of Banks* (two phases), vetted all the major decisions on supervisory activities, including the intervention of financial institutions, the resolution of issues arising from on- and off-site inspections, and the program and methodology of inspections.

**Financial and Corporate Practice:**

- Member of the Boards of Directors of *Banco de Colombia*, *Fiducolombia S.A.*, and *Aseguradora Grancolombiana S.A.*. In this capacity, oversaw Banco de Colombia's external financing and anti-money laundering programs.
- Member of the Board of Directors of *Banco del Estado*.
- Attorney for several commercial banks on Banking Law and Regulations issues.

**Research:**

- Produced government policy papers that set the directions and guidelines for the substantial reforms of monetary and banking systems referenced above.
- Produced several published papers focusing on the public policy aspects of different kinds of regulations, including banking, and anti-money laundering.

**Other:**

- Member of the *World Bank's Financial and Private Sector Development Board* (2006-10).

Jaime Jaramillo-Vallejo - 1

## DETAILED C.V.

### ACADEMIC BACKGROUND

1979 to 1983	PH.D. IN ECONOMICS Areas: Money and Banking, Econometrics and International Economics	BOSTON UNIVERSITY, Boston
1979 to 1982	M.A. IN POLITICAL ECONOMY	BOSTON UNIVERSITY, Boston
1968 to 1973	J.D. (DOCTORIS SCIENTIAE JURIDICAE)	UNIVERSIDAD JAVERIANA, Bogotá, D.C.

### EXPERIENCE

2016 to Date	<b>INTERNATIONAL CONSULTANT ON MONETARY AND FINANCIAL MATTERS:</b> <b>Centennial Group:</b> Review of the relationship between national savings and financial deepening in Africa. <b>Analysis Group:</b> Peru's treatment of its Agrarian Bonds.
2012 to 2016	<b>INTERNATIONAL MONETARY FUND:</b> <b>Senior Financial Sector Expert</b> , Monetary and Capital Markets Department, Financial Crisis Preparedness and Management Division.
2002 to 2012	<b>WORLD BANK:</b> <b>Head of Country Evaluations and Lead Economist</b> , Independent Evaluation Group (IEG), Country Evaluation and Regional Relations (IEGCR) Unit and Country, Corporate and Global Evaluations (IEGCC) Unit. <b>Lead Economist</b> , Operations Policies and Country Services Vice-presidency (OPCS), Country Economics Unit (OPCCE). <b>Lead Economist</b> , Operations Policies and Country Services Vice-presidency (OPCS), Comprehensive Development Framework (CDF) Secretariat. <b>Visiting Research Fellow</b> , World Bank Institute, Governance, Regulation & Finance Division.
1995 to 2001	<b>INTERNATIONAL CONSULTANT ON MONETARY AND FINANCIAL MATTERS:</b> <b>United States Department of the Treasury:</b> <ul style="list-style-type: none"><li>• Treasury's Representative in the Monetary Monitoring Committee of Indonesia's Macroeconomic Program.</li><li>• Special Advisor for the development of the economic institutions of the Dayton Peace Accords in Bosnia and Herzegovina, especially the central bank and monetary system.</li></ul> <b>World Bank:</b> <ul style="list-style-type: none"><li>• Head of the Macroeconomic Team of the Joint Assessment Mission to Timor-Leste.</li><li>• Team Leader for the development of the payments system in Bosnia and Herzegovina, and consultant on monetary and financial matters.</li></ul> <b>Harvard Institute for International Development (HIID):</b> <ul style="list-style-type: none"><li>• Senior Advisor to the Governor of the National Bank of Ukraine for the introduction of the Hryvnia.</li></ul> <b>Inter American Development Bank:</b> Assignments in Central America, Colombia, Dominican Republic, El Salvador, and Peru. <b>Corporación Andina de Fomento, and Asociación de Bancos Privados de Bolivia.</b>

Jaime Jaramillo-Vallejo - 2

- 1994 to 1995 PONTIFICIA UNIVERSIDAD JAVERIANA. **Dean** of the School of Economics and Administrative Sciences.
- 1994 BANCO DE COLOMBIA S.A., FIDUCOLOMBIA S.A. ASEGURADORA GRANCOLOMBIANA S.A.: **Member of the Board of Directors.**
- 1993 to 1994 SUPERINTENDENCY OF BANKS OF COLOMBIA: **Member of the Advisory Council** to the Superintendent, appointed by the President of the Republic.
- 1993 to 1994 ESTRATEGIA ECONOMICA Y FINANCIERA. **Editor-in-Chief and General Manager.**
- 1993 MINISTRY OF PLANNING OF COLOMBIA: **Senior Advisor to the Minister.**
- 1992 to 1993 INTERNATIONAL MONETARY FUND:  
**Deputy Division Chief**, Policy Development and Review Department, Stand-By Operations Division.  
**Deputy Division Chief**, Policy Development and Review Department, Special Facilities and Issues Division.
- 1991 JEFFREY D. SACHS AND ASSOCIATES. **Senior Advisor** to the Government of the Republic of **Slovenia.**
- 1989 to 1991 MONETARY BOARD OF THE GOVERNMENT OF COLOMBIA: **Advisor (Deputy Minister- level position).** Concurrent with this capacity, appointed by the President of the Republic as:  
  - **Member of the Advisory Council of the Superintendency of Banks** (1990 to 1991).
  - **Advisor to the National Commission for Agricultural Credit** (1991).
- 1990 UNITED NATIONS DEVELOPMENT PROGRAM, UNDP. **Advisor** to Deputy Prime Minister of **Poland.** (While on leave from the Monetary Board)
- 1988 MINISTRY OF AGRICULTURE OF COLOMBIA: **Economic Advisor** to the Minister on macroeconomic, financial and trade matters.
- 1983 to 1988 INTERNATIONAL MONETARY FUND:  
**Economist**, Exchange and Trade Relations Department, Stand By Operations Division.  
**Economist**, Western Hemisphere Department, Pacific Division.
- 1976 to 1979 PEÑA Y JARAMILLO, ABOGADOS. **Attorney** for several banks, and **member of the Board of Directors** of Banco del Estado.
- 1974 to 1976 CHAMBER OF COMMERCE OF BOGOTA. **Financial Director.**

#### ACADEMIC EXPERIENCE

- 2014 to date GEORGE WASHINGTON UNIV., Elliot School of International Affairs, Washington, D.C.  
Assistant Instructor, Economic Development of Latin America (Master's level).
- 1995 UNIVERSIDAD JAVERIANA, Facultad de Economía, Bogotá, D.C.  
Lecturer, Macroeconomic Theory I (undergraduate level).
- 1988 to 1989 UNIVERSIDAD JAVERIANA, Postgrado en Economía, Bogotá, D.C.  
- Director of the Dissertation Workshop on Macroeconomics.  
- Lecturer, Money and Banking (Master's level).

Jaime Jaramillo-Vallejo - 3

- 1981 BOSTON UNIVERSITY, Graduate School, Boston  
Teaching Assistant, Macroeconomics (Master's level).
- 1976 to 1979 UNIVERSIDAD JAVERIANA, Facultad de Derecho, Bogotá, D.C.  
Lecturer, Introduction to Economics (first year level).

#### **OTHER DISTINCTIONS AND ACTIVITIES**

- 2016 REPUBLIC OF SLOVENIA: Awarded the **Medal of Honor** by the President of Slovenia for my contribution to the independence of the country as a member of the Sachs Group in 1991. Other recipients: Jeffrey D. Sachs and David A. Lipton. Ceremony to be scheduled.
- 1999 KONRAD ADENAUER FOUNDATION: Member of the **Group of 30** Latin American social scientists exploring the second-generation structural reforms in the region.
- 2000 to 2001 HORSE BREEDERS ASSOCIATION OF RISARALDA, CRINES, Pereira, Risaralda:  
**President.**
- 2001 COLOMBIAN FEDERATION OF HORSE BREEDERS ASSOCIATIONS, FEDEQUINAS, Bogotá, D.C.: **Member of the Executive Board.**
- 1997 to 1998 PRESIDENTIAL CAMPAIGN OF ALFONSO VALDIVIESO: **Chief Economic Advisor.**
- 1995 to 1997 PRESIDENTIAL CAMPAIGN OF NOEMÍ SANÍN: **Chief Economic Advisor.**
- 1974 TRIBUNAL SUPERIOR DE BOGOTA, D.C.: Accepted to the Bar.
- To date AMERICAN ECONOMIC ASSOCIATION, **Member,**

#### **PERSONAL DATA**

Nationality: Colombian. USA Permanent Resident.  
Date of birth: October 12, 1950.  
Languages: Spanish and English.  
References: Available upon request.

Attachment: Selected Publications

February 2017

Jaime Jaramillo-Vallejo - 4

## SELECTED PUBLICATIONS

### Policy Papers:

- 1990 "Notas Para la Liberación del Sistema Cambiario de Colombia", Internal Document of the Monetary Board of the Republic of Colombia, Bogotá, D.C., (Available on request).
- 1989 "Competitividad y Eficiencia del Sistema Financiero Colombiano", Internal Document of the Monetary Board of the Republic of Colombia, Bogotá, D.C., (Available on request).
- 1989 "Competitividad y Eficiencia del Sistema Financiero Colombiano – II", Internal Document of the Monetary Board of the Republic of Colombia, Bogotá, D.C., (Available on request).

### Published Papers:

- 2011 "Timor-Leste Country Program Evaluation 2000-2010", joint with evaluation team, Independent Evaluation Group, World Bank, Washington, D.C.
- 2009 "Bangladesh Country Assistance Evaluation", joint with evaluation team, Independent Evaluation Group, World Bank, Washington, D.C.
- 2005 "Streamlining Conditionality in Bank and Fund Supported Programs", joint with Abdildina, Zhanar, in "*Conditionality Revisited: Concepts, Experiences and Lessons*" edited by Koeberle, Bedoya, Silarsky and Verheyen, World Bank, Washington, D.C.
- 2002 "Lavado de Activos: Temas de Política Pública" in "*Reforma Legal y Judicial y Control de la Corrupción en América Latina y el Caribe*" edited by González de Asis, María, World Bank, Washington, D.C.
- 2000 "La Situación del Sistema Financiero Colombiano", in "*Memorias de la Asamblea Anual de la Asociación Nacional de Instituciones Financieras*", Montenegro and Langebeck, Editors, Bogotá, D.C.
- 1998 "Securitization in Less Developed Financial Markets" published in the "Conference on Securitization and Infrastructure Public Works" of the Inter American Development Bank and Bear Sterns, Washington and New York, Mimeo.
- 1995 and 1996 "El Sistema Financiero Colombiano", in "*Sistemas Financieros y Bancarios en América Latina*" published by Centro Interdisciplinario de Estudios Sobre el Desarrollo Latinoamericano, CIEDLA, Buenos Aires, 1995. Also in "*La Nueva Regulación Financiera en Colombia*" editada vi Hertz, Rafael S., Instituto de Políticas de Desarrollo, Pontificia Universidad Javeriana, Bogotá, D.C, 1996.
- 1994 "Conclusiones Sobre un Fondo de Estabilización Petrolero", in "*Cusiana: Un reto de Política Económica*" edited by Montenegro, Armando, Departamento Nacional de Planeación, Bogotá, D.C.

Jaime Jaramillo-Vallejo - 5

- 1994 "The Role of the State in Financial Markets" discussion with Stiglitz, Joseph and Park, Yung Chul in *"Proceedings of the World Bank Annual Conference on Development Economics"*, edited by Bruno and Pleskovic, World Bank, Washington, D.C.
- 1991 "Some Ideas on Monetary Programming" (Nekatere Ideje o Denarnem Programiranju) in *Denarna In Devizna Gibanja, Letnik XXII, št. 4*, National Bank of Slovenia, Ljubljana.

## CHARLES E. DI LEVA

4445 Butterworth Place, N.W.  
Washington, D.C. 20016

E-mail: CharlesDiLeva@gmail.com  
Mobile Tel: 202-746-0030

### **PROFILE**

A recognized and trusted global expert with over thirty years' experience in addressing the legal and policy challenges of sustainable development, climate change, and environmental and social risk management, particularly in large-scale high-risk infrastructure projects, and in accountability and compliance reviews and investigations. A leading legal expert on climate change, with expertise as the World Bank's longest serving legal advisor on the United Nations Framework Convention on Climate Change and its related agreements, as well as the Bank's relations with the Green Climate Fund. Recognized as the longest serving legal expert on World Bank environmental and social safeguards, leading the Bank through the launch in 2012 of its largest global consultation and the successful adoption in 2016 of the new "Environmental and Social Framework for Investment Project Finance". Extensive network of professional relationships established during the development and implementation of the Bank's environmental and social standards, including with other international financial institutions, civil society, and Indigenous Peoples' organizations. A profile that includes diverse and broad senior advisory roles in the International Union for Conservation of Nature, United Nations Environment Program, and in U.S. federal, state, and private entities with a particularly unique background in the development and implementation of a range of multilateral environmental agreements and their global financing arrangements, and in the development and implementation of national environmental and natural resource related legislation and regulations.

### **EXPERIENCE**

#### **THE GEORGE WASHINGTON UNIVERSITY**

**Environmental Law Program, 1994 – 2014, 2016 – present**

*Adjunct Professor.* Helped design new course in International Trade and Sustainable Development. Focus on development of WTO and WTO Agreements, NAFTA and NAFTA Side Agreements and trade related adjudication, Multilateral Environmental Agreement and Trade, including recently adopted Paris Agreement and its relation to trade. Received "Certificate of Appreciation for Fifteen Years of Teaching".

#### **AMERICAN UNIVERSITY**

**Washington College of Law, 1993 – 1996, 2013 - present**

*Adjunct Professor.* Designed and taught courses on Comparative Environmental Law; Project Finance and the Environment; International Financial Institutions and International Law. Mentoring research project on Green Finance, overseeing Ph.D. Thesis on International Accountability Mechanisms.

**INDEPENDENT ADVISOR ON ISSUES RELATED TO SUSTAINABLE DEVELOPMENT AND THE LAW,  
Washington DC, December 15, 2016 - present**

Since retiring from the World Bank December 15, 2016, *inter alia*, serving as co-chair to Green Growth Knowledge Platform Rule of Law Committee (GGKP partnership of OECD, UNEP, World Bank and GGKI); pro bono legal advisor to Bird Life International; co-author for World Commission on Environmental Law advisory group on Inter-American Court of Human Rights Request for Advisory Opinion by Gov't of Columbia relating to Transboundary Impact Assessment and Human Rights.

**THE WORLD BANK, Washington, DC**

*Chief Counsel, Environmental and International Law, Legal Vice Presidency, 1992 –1999; 2001-December 15, 2016*

Promoted in 2003 to the position of Chief Counsel following international competition, becoming the Bank's chief legal advisor on environmental and social development law and policy issues. Served as legal advisor on environmental and social standards to World Bank Presidents, Senior Vice Presidents for Sustainable Development, and to the Directors of the Bank's Global Practice on Environmental and Natural Resources and the Climate Change Solutions Area. Managed an international team of stellar legal experts responsible for institution-wide advice on environmental and social compliance, as well as the development and implementation of climate and carbon finance instruments and operations.

Beginning in 2012 with the launch of the largest consultation in Bank history, led all legal responsibilities for the drafting and negotiating of the Bank's first-ever "Environmental and Social Framework" (2016) for investment project finance. Throughout this period, also led the Bank's legal preparations leading to the Paris Agreement, including in negotiations for the Bank to be accredited to the Green Climate Fund and thereafter, to finalize the GCF Accreditation Master Agreement. Represented the Bank as legal advisor on treaty related matters, particularly on Climate Change, Biodiversity, and CITES treaty negotiations, including for the 2015 "Paris Agreement". Handled negotiations on environmental and policy issues with a range of UN organizations, such as ILO, WHO and UNOHCHR, as well as Indigenous Peoples and other civil society organizations. Lead lawyer engaged for over twenty years in the Multilateral Financial Institution Working Group on the Environment. Advised during the development of the new environmental and social standards for the Asian Infrastructure Investment Bank.

At the project level, worked in the Bank's six geographic regions and in over fifty countries on full range of operations, particularly those with high corporate risk, such as Nam Theun 2 and Bujagali hydro facilities and the ESKOM thermal and renewable energy facility, and in land and natural resource projects with environmental and social impacts. Guided the Bank on policy compliance investigations and in relations and filings with the Independent Inspection Panel. Co-authored and managed projects that required analysis of regulatory issues and impediments related to carbon capture and storage; analysis of maritime boundaries and climate change, and in the analysis of human rights and international law. Lead legal advisor on many projects that led to the adoption of domestic environmental and natural resources law and regulations including for environmental impact assessment, forests, mining, fisheries and water resources.

Participated extensively in the drafting, development, and implementation of an array of sustainable development initiatives, including the founding of the Global Environment Facility, the launch and programs of the World Bank Climate Investment and Carbon Funds, GEF Conservation Trust Funds, Global Partnership for Oceans, the Global Tiger Initiative, and the launch in St. Petersburg of the International Consortium to Combat Wildlife Crime.

Served as legal advisor to "IDA/IFC Secretariat Team" responsible for proposing harmonized World Bank Group (IFC/MIGA/World Bank) safeguard approach for public-private partnership projects. Helped launch first Bank-wide effort at "Green Procurement", co-authoring study on domestic systems for green procurement. Helped lead Bank efforts toward transparency, by helping develop and managing grant to support "The Access Initiative for Rio Principle 10" on access to information and environmental justice, partnering with World Resources Institute and the Aarhus Convention Secretariat.

**IUCN – INTERNATIONAL UNION FOR CONSERVATION OF NATURE, Bonn, Germany**

*Director, IUCN Environmental Law Program, 1999 - 2001*

Directed the worldwide environmental law program for IUCN, including serving as the head of the IUCN Environmental Law Center multinational staff of fifteen professionals and in its arrangements with the IUCN Environmental Law Commission.

Successfully developed proposals for, and prepared analysis, of Ramsar Convention at request of Convention Secretariat on issue of "urgent national interest" following Airbus site expansion controversy; and with the World Bank to compare environmental impact assessment policy and domestic law. Successfully negotiated several host country arrangements for IUCN offices.

Successfully drafted new forest law for the government of Cambodia while based in Phnom Penh. Helped establish partnership relationship with Chinese environmental law program at Wuhan University. Managed work relating to Global Invasive Species Program. Collaborated on initiatives with the Convention on Migratory Species and Convention on International Trade in Endangered Species.

**U.S. DEPARTMENT OF JUSTICE, Washington DC**

*Trial Attorney, Environmental Enforcement Section, 1990 - 1992*

Represented the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers, and U.S. National Oceanic and Atmospheric Administration in complex matters pertaining to pollution caused by pesticide manufacturers, cases brought against violations in fresh and coastal wetlands, and in precedent-setting claim against the City of Seattle for natural resource damages, particularly to fish species in Elliot Bay due to combined sewer overflow discharges. Received "Special Commendation for Outstanding Service".

Appointed as first Section Coordinator for international environmental enforcement issues, established to provide coordination and advice on transboundary and extraterritorial environmental law and pollution matters.

Appointed as member of U.S. inter-agency working group, working with U.S. Coast Guard on negotiations to negotiate proposed International Maritime Organization administered Hazardous and Noxious Substances Treaty.

**UNITED NATIONS ENVIRONMENT PROGRAMME, Nairobi, Kenya**

*Senior Programme Officer, Environmental Law Unit, 1989 - 1990*

Coordinated the implementation of the Basel Convention on Transboundary Movements of Hazardous Waste with the London Convention and other international waste transport and disposal regimes. Coordinated and co-authored UN report on illegal traffic in hazardous wastes.

Drafted and arranged negotiations for the UNEP Regional Seas Conventions for the East Asian and South Asian Seas, managing negotiations among ten countries in Bangkok, Thailand. Assisted teams working on preparatory documentation for the Convention on Biological Diversity.

**PIPER & MARBURY, Washington, D.C**

*Associate Attorney, 1986 - 1989*

Advised on handling expert witness presentations concerning internationally known public health challenges in the "Love Canal" case. Successfully represented major Multinational Corporation and major health care facility in litigation brought by the U.S. EPA on matters concerning alleged hazardous waste disposal. Advised clients concerning their obligations under federal laws related to pesticides, air and water pollution.

**U.S. DEPARTMENT OF JUSTICE Washington, D.C.**

*Trial Attorney, Environmental Defense Section, 1984 - 1986*

Successfully represented the U.S. EPA in federal trial and appellate courts in litigation involving U.S. national wastewater construction grants programs, national water pollution requirements for gold mining operations in Alaska, and in air pollution actions brought by industry and citizen groups to challenge EPA decisions on State Implementation Plans. Successfully represented the U.S. Army Corps of Engineers' efforts to protect wetlands in Florida against quarrying operations.

## **STATE OF RHODE ISLAND**

*State Environmental Advocate, Department of Attorney General, 1983 - 1984*

Appointed to statutory position as State's lead environmental attorney, responsible for managing precedent-setting hazardous waste cases. Handled a wide range of extensive and contentious challenges pertaining to coastal resources permit applications before the Coastal Resources Management Council. Testified before State legislative committees concerning hazardous waste and marine-vessel traffic legislation.

*Legal Counsel, Department of Environmental Management, 1979 – 1983*

Advised team of technical experts responsible for preparation of Rhode Island's first comprehensive set of regulations for hazardous and solid waste management, air pollution control, coastal zone and freshwater wetlands management. Represented the state as lead attorney in high visibility litigation concerning cases against developers in hazardous and solid waste landfill permits and licensing cases, state freshwater and coastal wetlands, air, water and waste pollution, as well as challenges to state hunting and fishing programs. Argued fisheries case before the Rhode Island Supreme Court and other matters concerning state environmental issues.

Served as Administrative Hearing Officer to adjudicate and issue written opinions on highly contentious air pollution and hazardous waste facility permit hearings involving extensive local community opposition, stakeholder engagement, and media coverage.

## **EARLIER POSITION IN ACADEMIA**

### **UNIVERSITY OF RHODE ISLAND**

**Marine Affairs Graduate Program, 1982 - 1984**

*Adjunct Professor. Ocean and Coastal Zone Law.*

## **EDUCATION**

**Vermont Law School**, South Royalton, Vermont, J.D., 1978.

**University of Rhode Island**, Kingston, Rhode Island, B. A. History, 1975, *cum laude*.

## **MEMBERSHIPS**

D.C. Bar Association, twice elected to the Bar Committee Section on Energy and Environment; Bar Memberships of States of Massachusetts and Rhode Island; Member American Bar Association, former Chair of Committee on International Environmental Law, American Society of International Law, and Environmental Law Commission of the International Union of Conservation of Nature. Appointed Senior Advisor of the International Environmental Law Committee of the ABA Section on International Law (August 2014–2015). Member American Society of International Law; Environmental Law Institute.

## **LANGUAGES**

Spanish - intermediate – high-level; French – intermediate and ongoing studies; German – basic.

## **PERSONAL**

Holder of US and EU passports (Italian national). Born and raised in New York City. Married, two children.

## **SELECTED PUBLICATIONS (For pre-2000, please see "Google Scholar")**

*Climate Standards after the Paris Agreement and the International Trade Regime*, (forthcoming in Sustainable Development Law and Policy Journal of American University Washington College of Law).

*Climate Related Standards and Multilateral Finance for Development*, October, 2015, [www.mdpi.com/journal/laws](http://www.mdpi.com/journal/laws)

*Some Insights on the Role of the World Bank in Water and Agriculture Against the Backdrop of Climate Change*, ABA Section of International Law, International Environmental Law Committee Newsletter, Summer 2015

*Reducing Gaps to Thwart Pirates*, The Environmental Forum (Environmental Law Institute) September/October 2013, Note at 39 accompanying "The Challenges to Governance".

*The Path Toward Doha (The Durban Climate Platform)* The Environmental Forum (Environmental Law Institute), March/April 2012 at 36-41.

*International Financial Institutions and International Environmental Law* Oxford Univ. Press (2009).

*Maritime Rights of Coastal States and Climate Change: Should States Adapt to Submerged Boundaries*. (World Bank, May 2008) with S. Morita.

*Forest Law and Sustainable Development. Addressing Contemporary Challenges Through Legal Reform*. Co-authored with L. Christy, et al. The World Bank Law Development and Justice Series (2007).

*Art and Cultural Heritage: Law, Policy and Practice* Cambridge University Press (2006), Chapter 33, The World Bank's Policy on Physical Cultural Resources, at 245-249.

*Public Participation in the Governance of International Freshwater Resources* United Nations University (2005). Chap 10 at 199-216.

*Helping to Achieve the Millennium Development Goals: Partnerships, Projects and Policies of the World Bank*, ABA Journal of Energy, Environment and Natural Resources Section. (Fall, 2004) at 13-20.

*The Conservation of Nature and Natural Resources Through Market-Based Mechanisms and Legal Instruments*, 11 Review of European Community and International Environmental Law, at 84 (2002).

*A Legal Review of the Key Provisions to the Kyoto Protocol and the Buenos Aires Action Plan*, Co-authored with K. Ramakrishna, C. Carpenter, prepared for Asian Development Bank at ADB-UNEP-IUCN Workshop on the Design of the Kyoto Protocol Cooperative Implementation Mechanisms, (Manila 2000).

*Fundamental Legal and Ethical Principles in Adjudging the Merits of Development Projects*, World Dams Commission, Thematic Reviews (November 2000). See <http://www.dams.org/>.

*International Environmental Law and Development*, 10 Georgetown International Environmental Law Review, at 501 (1998).

## **SELECTED CONFERENCE PAPERS and PRESENTATIONS (Post 2000)**

*The World Bank's New Environmental and Social Framework*, American Society of International Law, scheduled April 13, 2017. Washington DC.

*National Financing Vehicles and Climate Finance*, Korean Pavilion, Marrakech, UNFCCC COP 22, November 10, 2016

*Some Key Development in Global Environmental Law 2015*, ABA Section of Environment, Energy and Resources, Chicago, October 28-31, 2015.

**Fostering Country-Driven Green Growth**, Carbon Expo, Cologne, May 26, 2015 (with Global Green Growth Institute)

**The Paris Agreement and Nationally Determined Contributions: Case Studies from Brazil and Mexico**, World Bank, Washington DC, November 1, 2016

**The Roles Played by Federal Agencies and International Organizations to Combat International Wildlife Crimes**, University of Pennsylvania Law School Symposium, February 11, 2016

**Rule of Law Challenges in the Context of Land and Water**, Wilson Center, Washington, DC Jan. 19, 2016

**Climate Law and Governance**, presentation during Paris Agreement UNFCCC COP negotiations for Climate Law and Governance Day, Paris, December 2015

**Developments in International Environmental Law**, American Bar Association Section on Environment, Fall Meetings, Chicago, November 11, 2015

**The Forest Carbon Partnership Fund Methodological Framework**, Fifteenth Dialogue on Forests, Governance and Climate Change, Washington, D.C., March 19, 2014.

**The Role of Lawyers in Redressing Harm through International Accountability Mechanisms**, ABA Section on International Law, Spring Meeting, April 2, 2014

**Global Environmental Law Conference**, Keynote speech, Baker and McKenzie Law Firm, June 21, 2013.

**The World Bank and the Amendment of its Environmental and Social Policies – What's new?** The Academy on Human Rights and Humanitarian Law, American University, June 7, 2013.

**Multilateral Environmental Agreements and International Financial Institutions**, School of International Service, American University, February 2013.

**Courts, Rule of Law, and the Environment**, George Washington University Law School side event to World Bank Law, Justice and Development Week, December 11, 2012

**Trade and Climate Change – Differentiated Responses**, Georgetown University Trade Seminar for Professionals, Washington, October 2012

**Environmental Health and Governance**, World Health Summit, Berlin, October 2012

**Comparative Environmental Law**, Judicial Symposium, Rio de Janeiro Supreme Court, June 16, 2012

**China and Environmental Law**, World Bank Law, Justice and Development Week, November 28, 2011.

**Accountability, Standards and Safeguards**, Fifth RRI Dialogue on Forests, Governance and Climate Change, Washington DC, June 22, 2010

**World Bank Statement on UN Declaration on the Rights of Indigenous Peoples and Application of World Bank Safeguard Policies to Forests and Climate Change Operations**, Economic and Social Council, Permanent Forum on Indigenous Issues, New York, April 26, 2010.

**The Road to Rio and Beyond**, Organization of American States, April 10, 2012

**The World Bank and International Environmental Law**, University of Texas Law School, Austin, February 12, 2012.

**REDD+ and Biodiversity**, Washington D.C. Bar Association, January 31, 2012

**Climate Change and the New Paradigm of Environmental Law**, Nineteenth Annual Eastern Boot Camp on Environmental Law, Washington, D.C. November 10, 2012.

***Emerging Issues in International Law and Policy on Climate Change***, International Development Law Organization, Copenhagen University, December 12, 2009

***"International Lending in an Age of Global Warming, Security Concerns and Nagging Inequities"***, Featured Speaker at Amer. Univ. Washington College of Law Program, May 29, 2008 (Washington, D.C.)

***International Developments in Ecosystem Services***, D.C. Bar Environment Committee, Washington D.C., March 5, 2008.

***Perspectives on Climate Change and Security***, Chatham House Conference, London, UK, June 2007.

***The World Bank and the Aarhus Convention on Access to Information***, UNECE Sponsored Conference, Geneva, Switzerland, June 2007.

***"How Institutions and Good Governance Contribute to Sustainable Development"***, The 13<sup>th</sup> Annual International Development Conference, Harvard University, April 20-22, 2007.

***ALA-ABA Conference on International Environmental Law***, Keynote Presentation, April 12, 2007, Washington DC.

***International Climate Change Strategies***, 17<sup>th</sup> Annual National Association of Environmental Law Societies Conference, Washington, D.C. March 17, 2007.

***"Global Environmental Governance – Challenges to Consensus"***, European Union Conference on Global Environmental Governance, Keynote Presentation, (Georgetown Law School, June 2006)

***Global Approaches to International Environmental Issues***, University of Virginia Law School Environmental Law Colloquium "": Keynote Presentation (May 2006).

***International Organizations and Responsibility under International Law***, American University Law School (March 2006)

***Corporate Social Responsibility- A view from the World Bank***, Inogen Worldview Conference (Nov. 2005)

***Multilateral Environmental Agreements and the Private Sector***, (OECD Meeting, Helsinki, July 2005)

***International Legal Issues Pertaining to Carbon Storage***, ( Int'l Energy Agency, Paris, July, 2004)

***The Equator Principles and Other Initiatives Addressing the Environmental and Social Impacts of Project in Development Markets***, (Environmental Law Institute, Washington, D.C. May, 2004)

***Domestic and International Legal Frameworks to Manage Global Water Resources***, (American Bar Association, Section on Environment, Energy and Natural Resources Law Washington, D.C. October, 2003)

***World Bank Policy on Cultural Property***, (International Bar Association, San Francisco, September, 2003)

***Environmental Review in the Global Arena: Comparative Approaches to Transboundary Impacts*** (New York University Law School, April 2003)

***Addressing Accountability Issues***, (World Summit on Sustainable Development, Johannesburg September 2002, for Business Day Presentations)

***Effective Implementation of the Biodiversity Convention*** (De Klemm /IUCN Colloquium, Paris, March 2000).

## Karen Tramontano

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**From:** Karen Tramontano  
**Sent:** Saturday, July 27, 2019 10:44 AM  
**To:** Vadim Pozharskyi  
**Cc:** Tamar Gegechkori; Sally Painter  
**Subject:** Re: Zelensky/Trump talk

Thank you Vadym. I've briefed sally. She will reach out to our friend. I've talked to our other friend this morning.

Sent from my iPhone

On Jul 27, 2019, at 10:34 AM, Vadim Pozharskyi <[v.pozharskyi.ukraine@gmail.com](mailto:v.pozharskyi.ukraine@gmail.com)> wrote:

Dear Karen and all,

Please, see a link to an official website of the President of Ukraine with news on the recent phone call between Ukraine's President Zelensky and President Trump:

<https://www.president.gov.ua/en/news/volodimir-zelenskij-proviv-telefonnu-rozmovu-z-prezidentom-s-56617>

**"Donald Trump is convinced that the new Ukrainian government will be able to quickly improve image of Ukraine, complete investigation of corruption cases, which inhibited the interaction between Ukraine and the USA"**

Some Ukrainian media focused on this very quote and made it look as though President Trump was talking about Burisma/Biden situation.

Please, see links to correspondent publications:

<https://www.eurointegration.com.ua/news/2019/07/25/7098933/>

**"The GP's office is investigating the case of a former Minister of Ukraine under Viktor Yanukovich, Mykola Zlochevsky and his firm Burisma Holdings on suspicion of obtaining illegal decisions on gas extraction, money laundering, and evasion of tax payments in particularly large amounts. The son of Trump's opponent in the 2020 Presidential elections Joe Biden, Hunter was a member of the Board of Burisma Holdings. Trump's personal attorney, Rudolf Giuliani, said that Biden had wrongfully pressured the Ukrainian president Petro Poroshenko and the parliament in March 2016 to fire GP Viktor Shokin. The visit of Ukraine's President Volodymyr Zelensky to the United States will take place prior to his visit to Warsaw on September 1, said Deputy Head of Office Mr Vadym Prystaiko."**

Links to other publications on this are offered below:

<https://antikor.com.ua/articles/317745->

[tramp\\_nameknul\\_zelenskomu\\_na\\_neobhodimostj\\_rassledovatj\\_dela\\_protiv\\_bajdena](tramp_nameknul_zelenskomu_na_neobhodimostj_rassledovatj_dela_protiv_bajdena)

<https://tsn.ua/politika/zelenskiy-upershe-telefonom-peregovoriv-iz-trampom-1384566.html>

[https://zik.ua/news/2019/07/26/tramp\\_radyt\\_zelenskomu\\_rozsliduvaty\\_koruptsiyni\\_spravy\\_shcho\\_gal\\_muyut\\_1614285](https://zik.ua/news/2019/07/26/tramp_radyt_zelenskomu_rozsliduvaty_koruptsiyni_spravy_shcho_gal_muyut_1614285)



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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR  
DAVID M. WEINBERG, MINORITY STAFF DIRECTOR

February 24, 2020

The Honorable Gary C. Peters  
Ranking Member  
Committee on Homeland Security and Governmental Affairs  
U.S. Senate  
Washington, DC 20510

Dear Ranking Member Peters:

Pursuant to Rule 5(C) of the Rules of Procedure of the Committee on Homeland Security and Governmental Affairs, I write to notify you of my intent to issue a subpoena for attendance and the production of records to Andrii Telizhenko, a former consultant at Blue Star Strategies (Blue Star).<sup>1</sup> This subpoena is in furtherance of the Committee's ongoing work to address the many unanswered questions about potential conflicts of interest and the extent to which representatives of Burisma—including officials at Blue Star—used individuals with close personal connections to high level officials within the Obama administration to gain access to and potentially influence U.S. government agencies. This committee's oversight work is being conducted jointly with the Senate Committee on Finance and the Senate Committee on the Judiciary (the committees).

As you know, on December 6, 2019, the committees wrote to Mr. Telizhenko and requested the production of records and an interview about, among other topics, "whether certain officials within the Obama administration had actual or apparent conflicts of interest, or whether there was any other wrongdoing, because of Hunter Biden's role in Rosemont Seneca and related entities, and as a board member of Burisma Holdings."<sup>2</sup>

In response, Mr. Telizhenko confirmed his intention to "cooperate fully with the [committees'] investigation" and expressed his readiness "to provide any evidence" in his possession.<sup>3</sup> During the course of our conversations with Mr. Telizhenko, he informed us that he worked as a consultant for Blue Star and he has responsive records from his time there, specifically, records relating to work the firm did for Burisma. However, because Mr. Telizhenko's employment contract with Blue Star included a non-disclosure agreement (NDA),

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<sup>1</sup> According to Mr. Telizhenko, he was employed as a consultant at Blue Star Strategies from July 2016 through June 2017. Prior to his work at Blue Star Strategies, Mr. Telizhenko served as an official at the Embassy of Ukraine in Washington, D.C.

<sup>2</sup> Email from S. Comm. on Homeland Sec. & Governmental Affairs Staff to Andrii Telizhenko (Dec. 6, 2019) (on file with Comm.).

<sup>3</sup> Email from Andrii Telizhenko to S. Comm. on Homeland Sec. & Governmental Affairs Staff (Dec. 10, 2019) (on file with Comm.).

he believes that he is unable to produce these records to the committees without being compelled to do so by a congressional subpoena.

These records are important to the committees' investigation for several reasons. First, records indicate that Blue Star sought to leverage Hunter Biden's role as a board member of Burisma to gain access to and potentially influence matters at the State Department. In a February 24, 2016, email with the subject line "Burisma," a State Department official wrote:

Per our conversation, Karen Tramontano of Blue Star Strategies requested a meeting to discuss with [Under Secretary] Novelli [U.S. Government] remarks alleging Burisma (Ukrainian energy company) of corruption. **She noted that two high profile U.S. citizens are affiliated with the company (including Hunter Biden as a board member). Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that the company is corrupt.** According to Tramontano, there is no evidence of corruption, has been no hearing or process, and evidence to the contrary has not been considered. Would appreciate any background you may be able to provide on this issue and suggested TPs for U/S Novelli's meeting.<sup>4</sup>

On March 1, 2016, Blue Star met with Under Secretary Catherine A. Novelli in an effort "to understand the State Department's position regarding Burisma," and in April 2016 Blue Star then reportedly met with Ukrainian prosecutors.<sup>5</sup> According to what appears to be contemporaneous notes by one of those Ukrainian prosecutors during the April 2016 meeting, Blue Star apologized about allegedly "false information" promoted by the U.S. Government about the prosecutors' handling of the investigation of Burisma.<sup>6</sup>

On December 3, 2019, Chairman Charles Grassley and I sent a letter to Blue Star requesting information and records on this matter.<sup>7</sup> On December 18, 2019, Blue Star provided a written response to the committees and produced 83 pages of records showing interactions

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<sup>4</sup> John Solomon, *Hunter Biden's Ukraine gas firm pressed Obama administration to end corruption allegations, memos show*, johnsolomonreports.com, Nov. 4, 2019, <https://johnsolomonreports.com/hunter-bidens-ukraine-gas-firm-pressed-obama-administration-to-end-corruption-allegations-memos-show/> (emphasis added).

<sup>5</sup> See Letter from Karen Tramontano, Chief Executive Officer, Blue Star Strategies, to Sen. Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, and Sen. Charles E. Grassley, Chairman, S. Comm. on Finance (Dec. 18, 2019) (on file with Comm.); John Solomon, *These once-secret memos cast doubt on Joe Biden's Ukraine story*, The Hill, Sept. 26, 2019, <https://thehill.com/opinion/campaign/463307-solomon-these-once-secret-memos-cast-doubt-on-joe-bidens-ukraine-story>.

<sup>6</sup> Solomon, *These once-secret memos cast doubt on Joe Biden's Ukraine story*, *supra* note 5.

<sup>7</sup> Letter from Sen. Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, and Sen. Charles E. Grassley, Chairman, S. Comm. on Finance, to Karen Tramontano, Chief Executive Officer, Blue Star Strategies (Dec. 3, 2019), available at <https://www.grassley.senate.gov/sites/default/files/documents/2019-12-03%20RHJ%20CEG%20to%20Blue%20Star%20Strategies%20%28Burisma%29.pdf>.

between the firm and U.S. government agencies about Burisma.<sup>8</sup> Many of these records are emails arranging meetings between Blue Star and U.S. officials at different agencies, including the Departments of State, Commerce, and Energy.

Second, Blue Star's response to the committees was incomplete. Notably, although we asked Blue Star twice to identify its employees and contractors who worked on the Burisma matter, it never identified Mr. Telizhenko. Additionally, Mr. Telizhenko recently produced records to the committees that included some correspondence with Blue Star before he began his employment there (and, thus, not covered by his NDA) which indicate that Blue Star has records about its work on behalf of Burisma that are responsive to the committees' requests that it has not produced.

For example, the committees requested from Blue Star "the dates and descriptions, including a list of attendees, of all meetings between Blue Star representatives and Ukrainian officials regarding Burisma."<sup>9</sup> This month, Mr. Telizhenko provided the committees a copy of a May 27, 2016, letter he received from a Blue Star official which was sent from John Buretta, Burisma's U.S. attorney, to Yuriy Lutsenko, the General Prosecutor of Ukraine, requesting a meeting "on behalf of my client, Burisma Holdings Limited, and its owner Mykola Zlochevskiy."<sup>10</sup> Blue Star's Chief Executive Officer, Karen Tramontano, noted to the committees that she worked "in collaboration with Burisma's U.S. counsel, John Buretta."<sup>11</sup> The letter to Mr. Lutsenko and information about this meeting was not included in Blue Star's production to the committees.

Mr. Telizhenko also provided a March 23, 2016, email from a Blue Star official to individuals at the Embassy of Ukraine, including Oksana Shulyar, offering to help schedule a meeting between a Ukrainian official and Denis McDonough, the then-Chief of Staff to President Obama.<sup>12</sup> The committees did not receive this email or others related to it from Blue Star. It is unclear what the purpose of that meeting was and whether the meeting occurred. Mr. Telizhenko's responsive records on this matter from his time working for Blue Star will enable the committees to ensure that they are receiving complete and thorough productions from other subjects of this investigation, as well as ensure that the committees are gathering all relevant information to determine what actually occurred.

The American people have a right to know how their government officials conducted official business, whether certain parties received special treatment, and whether any apparent or actual conflict of interest unduly influenced U.S. policy. Gathering all of the relevant information is necessary to determine not only whether any wrongdoing occurred, but also if wrongdoing did not occur. Accordingly, pursuant to the committee rules, this letter constitutes

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<sup>8</sup> See Letter from Karen Tramontano, *supra* note 5.

<sup>9</sup> Letter from Chairman Ron Johnson and Chairman Charles E. Grassley, *supra* note 7.

<sup>10</sup> Letter from John D. Buretta, Counsel for Burisma Holdings, Ltd., to Yuriy Lutsenko, Gen. Prosecutor of Ukraine (May 27, 2016) (on file with Comm).

<sup>11</sup> Letter from Karen Tramontano, *supra* note 5.

<sup>12</sup> Email from Sally Painter, Chief Operating Office, Blue Star Strategies, to Andrii Telizhenko *et al.*, (Mar. 23, 2016) (on file with Comm.).

The Honorable Gary C. Peters  
February 24, 2020  
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official notice that I intend to issue a subpoena to Andrii Telizhenko, a former consultant at Blue Star Strategies, for the records and attendance described in the enclosed schedule.

Sincerely,



Ron Johnson  
Chairman

Enclosure

Mr. Andrii Telizhenko  
Sent Electronically

**Schedule A**

Please provide the following by March XX, 2020:

1. All records from your work for Blue Star Strategies (“Blue Star”) related to Burisma Holdings, including emails, memoranda, employment contract, or other electronically stored information (*e.g.*, text messages).
2. Your attendance, at a date and time to be determined by the Chairman, to discuss the matters described in Request 1.



## Unified Tramontano Transcript Errata

- HSGAC Majority

Page	Line	Correction
72	23	It should read “he” rather than “she”
98	13	It should read "Thank you, Zach" rather than "Thank You. Zach"
148	23	it should read "well" rather than "will"

- Finance Majority

Page	Line	Correction
41	18	Strike “that” insert “those meetings” such that it reads “regarding those meetings.” Insert “those” such that it reads “Are those the extent of the names?”
45	4	Strike “for” and insert “or” such that it reads “or success benefit the Ukrainian government?”
45	10	Strike “making” and insert “taking”
49	25	“national interest” should be capitalized
50	23	the “.” should be removed after “Thank you” and a “,” inserted
133	24	add “s” to “Agent” should read “Agents”, and “pertains” should read “pertained”

- HSGAC Minority
  - Pending
- Finance Minority
  - Pending
- Counsel

Page	Line	Correction
48	13	Delete “subject” and add “submitted”
50	5	Delete “national interest” and add “National Interest”
71	23	Delete “she” and add “he”
113	10	Delete “only meeting” and add “only one meeting”

UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

- - - - - x

INTERVIEW OF: :

DAVID E. WADE :

:

- - - - - x

Room SD-342 and via Webex  
Dirksen Senate Office Building  
Washington, D.C.  
Monday, August 3, 2020  
1:10 p.m.

INTERVIEW OF DAVID WADE

APPEARANCES

For the Witness:

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Robbins, Russell, Englert, Orseck, Untereiner &

Sauber LLP

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Washington, DC 20006

For Senator Johnson:

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SCOTT WITTMANN, Senior Professional Staff Member, HSGAC

BRIAN DOWNEY, Senior Investigator, HSGAC

SARAH SMERLING, Professional Staff Member, HSGAC

WILLIAM SACRIPANTI, Professional Staff Member, HSGAC

For Senator Grassley:

JOSHUA FLYNN-BROWN, Deputy Chief Investigative Counsel,

Finance Committee

QUINTON BRADY, Investigative Counsel, Finance Committee

APPEARANCES: (Continued)

For Senator Peters:

ZACHARY SCHRAM, Minority Chief Counsel, HSGAC

ALAN KAHN, Minority Chief Investigative Counsel, HSGAC

ROY AWABDEH, Minority Senior Counsel, HSGAC

SOUMYALATHA DAYANANDA, Minority Senior Investigative  
Counsel, HSGAC

For Senator Wyden:

DAVID BERICK, Minority Chief Investigator, Finance  
Committee

DAN GOSHORN, Minority Senior Counsel, Finance Committee

JOSH HEATH, Minority Investigator, Finance Committee

MICHAEL OSBORN-GROSSO, Minority Investigator, Finance

For the Department of State:

WILLIAM K. KILLION

Bureau of Legislative Affairs

KENNETH A. THOMAS

Office of the Legal Advisor

MAJORITY EXHIBITS	MARKED
1) News Article, 04-25-14	19
2) Meeting invitation, 02-02-15, Prep for PC	26
3) Email, 05-13-14 Heinz to Summers and Wade	34
4) Email, 05-13-14, Unknown to Wade	64
5) Email, 05-13-14, Higginbottom to Wade	66
6) Email, 05-13-14, Finer to Wade	72
7) Email, 05-14-14, Thorne to Wade	76
8) Email, 05-14-14, Wade to Psaki and Finer	80
9) Time News Article, 07-07-14	92
10) Letter, 06-27-14, various Senators to President	95
11) NY Post article, 09-29-19	98
12) Email, 10-17-14, Wade to Biden	103

1 P R O C E E D I N G S

2 MR. FOLIO: All right. Good morning, everyone, or good  
3 afternoon. This is a transcribed interview of Mr. David  
4 Wade, being conducted by the Senate Committee on Homeland  
5 Security and Governmental Affairs and the Senate Committee  
6 on Finance. This interview was requested by Chairman Ron  
7 Johnson and Chairman Charles Grassley, as part of the  
8 Committees' investigation of whether there are any actual or  
9 apparent conflicts of interest or any other wrongdoing with  
10 regard to the Obama administration's Ukraine policy or  
11 Burisma holdings, as well as related matters.

12 On December 18, 2019, Chairmen Grassley and Johnson  
13 requested Mr. Wade's appearance for a voluntary transcribed  
14 interview and certain categories of records. In response to  
15 counsel, Mr. Richard Sauber, we were notified that there  
16 were no responsive records for the categories of requested  
17 materials. And this is a voluntary interview of Mr. Wade.

18 Mr. Wade, can you please state your full name for the  
19 record?

20 MR. WADE: Dave Eccles Wade.

21 MR. FOLIO: It is very difficult for us to hear you.  
22 Ms. Gray, are you able to hear Mr. Wade?

23 MR. WADE: Can you hear me now? Can you hear me now?  
24 Let me see if there's a way to turn up the volume at all.

25 MR. FOLIO: Do you have a headset, Mr. Wade?

1 MR. WADE: I do not. Is that better?

2 MR. FOLIO: Mr. Wade, sorry. So there's the volume on  
3 your computer, but if you look on the WebEx platform there  
4 is a drop-down called Communicate. And if you click on that  
5 there's--the second down is "speaker, microphone, and  
6 camera." Just make sure all those, both the speaker and  
7 microphone are turned up to 100 percent.

8 MR. WADE: Let me look.

9 [Pause.]

10 MR. WADE: Is that any better? Is that better?

11 Does it make sense for me, for volume-wise, to call in  
12 to the audio from my phone rather than the computer?

13 Can you hear me?

14 MR. FOLIO: I can hear you very lightly. It sounds  
15 like the problem is with the reporter, Ms. Gray.

16 MR. WADE: Okay. Are we okay for now? Can you hear me  
17 okay?

18 MR. FOLIO: You're pretty faint. Just kind of maybe  
19 just like--

20 MR. WADE: Should I--would it be helpful for me to dial  
21 in from a landline? Would that help with the mic, or no?

22 MR. FOLIO: The answer I got was perhaps, if you would  
23 like to try quickly.

24 MR. WADE: Let me give that a shot. Hold on one  
25 second.

1 MR. FOLIO: You will probably have to mute your  
2 computer then.

3 MR. WADE: Yep.

4 [Pause.]

5 MR. FOLIO: Sir, can you please state your full name  
6 for the record?

7 MR. WADE: Sure. It is David Eccles Wade.

8 MR. FOLIO: Mr. Wade, my name is Joseph Folio. I am  
9 the Chief Counsel for the Homeland Security and Governmental  
10 Affairs Committee. I am going to now introduce the staff in  
11 the room with me. For Chairman Johnson's staff I am joined  
12 by Scott Wittmann, Brian Downey, Sarah Smerling, and Will  
13 Sacripanti. And from Chairman Grassley's staff I will let  
14 Josh introduce them.

15 MR. FLYNN-BROWN: Hi, Mr. Wade. My name is Josh Flynn-  
16 Brown. I am Deputy Chief Investigative Counsel for Chairman  
17 Grassley. Today I am joined here by my colleague, Quinton  
18 Brady.

19 MR. FOLIO: Staff for Ranking Member Peters, please  
20 introduce themselves.

21 MR. SCHRAM: I am Zack Schram. I am the Chief Counsel  
22 for Ranking Member Peters. I am joined by Soumyalatha  
23 Dayananda, Roy Awabdeh, and Alan Kahn.

24 Mr. Wade, the minority's participation today is not an  
25 endorsement of this investigation. As the Ranking Members

1 have said publicly, we believe this investigation advances  
2 Russian disinformation and election interference efforts.  
3 Chairman Johnson's own public comments acknowledge that this  
4 investigation is at least partially targeted at influencing  
5 voters. The Committee should not facilitate foreign  
6 interference in our 2020 election.

7       We are conducting this interview remotely, because we  
8 are in the midst of a pandemic that has created an  
9 extraordinary public health crisis in the United States.  
10 The Homeland Security and Governmental Affairs Committee has  
11 jurisdiction over pandemic preparedness and response.  
12 Ranking Member Peters believes this investigation is a  
13 misuse of Committee resources that does not advance the  
14 health, safety, or economic security of Americans,  
15 consistent with our Committee's mission.

16       We have a right and a responsibility to be here, and we  
17 will do our best to ensure that you are treated fairly, that  
18 the record is accurate and complete, and that the national  
19 security interest of the United States is protected.

20       I'll note also that we have just learned that the  
21 majority, over the weekend, has provided exhibits to the  
22 witness, and that those exhibits were not provided to the  
23 minority. Contrary to the Committee's practice, not in the  
24 interest of truth-seeking, and not respectful of your time,  
25 as it will now force us to fumble in real time to try to

1 follow along. So that is contrary to the Committee's  
2 practice and I regret that it will influence your time here  
3 today.

4 MR. FOLIO: Before I turn it over to Ranking Member  
5 Wyden's staff, just a few points. First, with regard to the  
6 speech that Zack reads into the record at every interview, I  
7 will just note that we disagree with his characterization of  
8 the investigation and how the Committee has been spending  
9 its time. Chairman Johnson has addressed this publicly  
10 about the time and effort dedicated to, among other things,  
11 the pandemic. But this investigation is also important work  
12 and part of the oversight that this Committee does.

13 Zack also mentioned the fact that we had provided  
14 documents to Mr. Sauber, counsel for Mr. Wade, this weekend.  
15 As we explained separately, but now apparently this has to  
16 be on the record, we provided them to Mr. Sauber because of  
17 the extenuating circumstances, namely that the State  
18 Department had sent the documents to Mr. Sauber by mail.  
19 Mr. Sauber explained that he is currently in a location  
20 where mail is often delayed, and he raised the prospect of  
21 having to delay the interview for today, which would have  
22 resulted in additional fees that the Committee would have  
23 paid for, as well as scheduling difficulties, trying to  
24 rearrange schedules.

25 So given those unique circumstances, we provided the

1 documents to Mr. Sauber electronically on Sunday. With  
2 regard to why we have been more circumspect than typical to  
3 share information widely in this investigation is because  
4 our investigation has been the victim of a number of leaks,  
5 leaks about sensitive requests that the Committee has made,  
6 the majority Chairman has made, and specifically with regard  
7 to you, Mr. Wade, in fact, literally I think hours after we  
8 confirmed with the minority the interview date and time for  
9 you, there were press reports, in fact, about you  
10 interviewing.

11       So although that is correlative, we do not know for  
12 certain but leaks have been a problem for not only this  
13 investigation but our desire to speak with you. So that's  
14 why we have taken the steps that we have taken.

15       MR. SCHRAM: Joe, the call is coming from inside the  
16 house. We have learned of the scheduling of interview from  
17 the press before you have even informed us of it, before we  
18 even would have had the ability to know about scheduling.  
19 So you should check inside the house.

20       And if your theory is that you can't provide us with  
21 copies of information that you're using during an interview,  
22 that we will have contemporaneous access during an  
23 interview, because of a fear of leaks, I'm not sure how the  
24 timing of that makes--that seems to be an excuse and not in  
25 the interest of respecting the witness' time or ours.

1 MR. FOLIO: Thanks, Zack.

2 All right. I'm going to turn to Ranking Member Wyden's  
3 staff to introduce themselves.

4 MR. BERICK: This is Dave Berick. I'm the Chief  
5 Investigator for the Democratic staff on the Senate Finance  
6 Committee. I am accompanied by Dan Goshorn, Michael Osborn-  
7 Grosso, and Josh Heath.

8 MR. FOLIO: I also want to take the opportunity to  
9 allow the State Department folks who are joining us to  
10 introduce themselves please.

11 MR. THOMAS: --of being in western Massachusetts on the  
12 farm. But I personally posted those by priority mail on the  
13 day I received the signed NDA, which I had been asking for  
14 for over a week.

15 MR. FOLIO: Is that you, Ken Thomas, from State  
16 Department Legal Advisor's Office.

17 MR. THOMAS: Yes.

18 MR. BERICK: So is there some point--this is Dave  
19 Berick--so is there some point to the NDA issue? I assume  
20 it's been resolved.

21 MR. THOMAS: Well, honestly, it wasn't resolved in the  
22 sense that I got it signed, but it turns out that my  
23 personally--and my personally paying for Priority Mail to  
24 send it to western Massachusetts was inadequate. And I want  
25 it to be clear that the inadequacy was not a function of the

1 State Department.

2 MR. FOLIO: Thanks, Ken, for clarifying. I think you  
3 know everyone is operating in good faith here, trying to  
4 make this happen. We took the steps we took and here we  
5 are. Thankfully we are able to keep this on schedule.

6 I will now proceed to explain how the interview will  
7 occur. The Federal Rules of Civil Procedure do not apply to  
8 any of the Committees' investigative activities including  
9 transcribed interviews. The way questioning will proceed is  
10 that we will alternate between the majority and minority  
11 staff, each taking one hour. The majority staff will begin.  
12 The minority staff will then follow up with their hour, and  
13 we will rotate back and forth until there are no more  
14 questions.

15 During the interview we will do our best to limit the  
16 number of people who are directing questions at you, Mr.  
17 Wade, during any given hour. That said, from time to time,  
18 a follow-up question or clarifying question may be helpful,  
19 and if that's the case you may hear from other staff around  
20 the virtual table. I will ask anyone doing so to please  
21 their time so as not to interrupt others, and to interject  
22 slowly so we can make sure we understand who is asking the  
23 question.

24 Ms. Irene Gray, the reporter, is going to create a  
25 verbatim record of what we discuss today. With that in

1 mind, Mr. Wade, it is important that you respond to our  
2 questions verbally. The reporter cannot record properly  
3 nonverbal responses or gestures. Do you understand?

4 MR. WADE: Yes.

5 MR. FOLIO: We encourage witnesses that appear before  
6 the Committee to freely consult with counsel. Do you have  
7 counsel present with you today?

8 MR. WADE: Yes.

9 MR. FOLIO: And for the record, counsel, can you please  
10 introduce yourself.

11 MR. SAUBER: Yes. This is Richard Sauber of the law  
12 firm of Robbins Russell. I represent Mr. Wade. Our  
13 consultation may be cumbersome given the circumstances of  
14 doing this when we are in all different locations, but I  
15 want to thank everyone in advance for their forbearance if  
16 Mr. Wade and I have to go off into another room. But we  
17 will do our best to limit those opportunities, and if we  
18 need to do them, keep them to a short duration.

19 So thanks for your flexibility, and we are ready to go.

20 MR. FOLIO: Great. Thank you, Mr. Sauber.

21 Mr. Wade, we want you to answer our questions in the  
22 most complete and truthful manner possible, so we are going  
23 to take our time. If you have any questions or do not  
24 understand what we've asked just let us know. We would be  
25 happy to clarify or explain further. Do you understand?

1 MR. WADE: Yes.

2 MR. FOLIO: This interview is unclassified, so if the  
3 questions call for any information that you know to be  
4 classified please state that for the record, as well as the  
5 reason for classification. And then once you have  
6 clarified, to the extent possible, please respond with as  
7 much unclassified information as possible. If we need to  
8 have a classified session or follow up later, that can be  
9 arranged. Do you understand?

10 MR. WADE: Yes.

11 MR. FOLIO: It is the committee's practice to honor  
12 valid common law privilege claims as an accommodation to a  
13 witness or party when those claims are made in good faith  
14 and accompanied by sufficient explanation so that committees  
15 can evaluate the claim. When deciding whether to honor a  
16 privilege, the committee weighs its need for the information  
17 against any legitimate basis for withholding.

18 This interview is occurring without prejudice to any  
19 future discussions with committees, and we reserve the right  
20 to request your participation in future interviews or to  
21 compel testimony.

22 Mr. Wade, if you need to take a break, please let us  
23 know. We will ordinarily take a five-minute break at the  
24 end of each one-hour session, but if you need to take a  
25 break before then or you need to confer with counsel, just

1 let us know. All right?

2 MR. WADE: Yes. Will do.

3 MR. FOLIO: Mr. Wade, you are required to answer  
4 questions before Congress truthfully. Do you understand  
5 this?

6 MR. WADE: Yes.

7 MR. FOLIO: This also applies to questions posed by  
8 congressional staff in an interview. Specifically, 18 USC  
9 Section 1001 makes it a crime to make any materially false,  
10 fictitious, or fraudulent statement or representation in the  
11 course of a congressional investigation. So this statute  
12 applies to your statements made here today. Do you  
13 understand?

14 MR. WADE: Yes.

15 MR. FOLIO: Mr. Wade, is there any reason that you are  
16 unable to provide truthful answers to the committee's  
17 questions today?

18 MR. WADE: No.

19 MR. FOLIO: Finally, we ask that you not speak about  
20 what we discuss in this interview with anyone else outside  
21 of who's here in the room today in order to preserve the  
22 integrity of our investigation. We also ask that you not  
23 make copies or otherwise share exhibits that we are  
24 presenting to you. Do you understand and agree to those  
25 terms?

1 MR. SAUBER: Let me just interrupt. We have agreed to  
2 destroy the documents that you gave us after we're finished.  
3 We hear what you're saying about not discussing the issues  
4 or the subject matter outside of the interview, and let's  
5 leave it at that, if you don't mind.

6 MR. FOLIO: Okay. So reserving the right to discuss as  
7 you see necessary?

8 MR. SAUBER: We're reserving our rights under the  
9 Constitution to do whatever the hell we please, and we hear  
10 your request. And we acknowledge it. Thanks.

11 MR. FOLIO: All right.

12 Mr. Wade, do you have any questions before we begin the  
13 interview?

14 MR. WADE: Yeah.

15 MR. FOLIO: All right. At this point, I'm going to  
16 turn the interview over to my colleague, Mr. Scott Wittmann.

17 MR. WITTMANN: Mr. Wade, my name is Scott Wittmann,  
18 and--oh, gees. There was an echo just a second ago.

19 I'd like to begin by discussing what you currently do.  
20 Could you please tell us your current place of employment  
21 and title there?

22 MR. WADE: I am a fellow at the Carnegie Endowment for  
23 International Peace. I am also--I also have my own  
24 consulting--consulting company, which is called GreenLight  
25 Strategies.

1 MR. WITTMANN: And how long--what are the dates for  
2 your time at those two places?

3 MR. WADE: I've been at the Carnegie Endowment since  
4 2017. I began my consulting firm sometime in 2015.

5 MR. WITTMANN: Thank you.

6 Could you tell us when you first joined the State  
7 Department?

8 MR. WADE: In 2013.

9 MR. WITTMANN: And what was your job title there, and  
10 how long did you work at the State Department?

11 MR. WADE: I was the Chief of Staff at the Department.  
12 I worked there until mid-2015.

13 MR. WITTMANN: Mid-2015? Do you remember the specific  
14 date that you left the Department?

15 MR. WADE: No.

16 MR. WITTMANN: Do you remember the--

17 MR. WADE: It was June of--I believe it's June or July.

18 MR. WITTMANN: Of 2015?

19 MR. WADE: 2015, yes.

20 MR. WITTMANN: Okay. Thank you.

21 And do you remember the month that you began at the  
22 State Department?

23 MR. WADE: I believe it's February. My first day was  
24 Secretary Kerry's first day.

25 MR. WITTMANN: Understood. Thank you.

1           And in this position at the State Department, could you  
2 describe what your responsibilities were?

3           MR. WADE: I mean, the Chief of Staff at the State  
4 Department is somewhat of a jack of all trades, a lot of  
5 management of personnel and a personnel process. There was  
6 obviously a transition at the Department in 2013 with the  
7 new Secretary coming in, a lot of Assistant Secretaries and  
8 Under Secretaries leaving, so that a huge component of my  
9 time was spent 2013 and 2014 with the personnel process and  
10 helping get our folks up and running, get our operation  
11 going, getting people confirmed. But the Senate, working  
12 partnership with the leg affairs team on that, worked on a  
13 lot of initiatives that mattered to Secretary Kerry, whether  
14 it was issues where he was hopeful of putting a really  
15 personal imprint on the Department, issues like climate  
16 change, which was an issue he wanted to elevate with foreign  
17 policy issues and the like.

18           But, I mean, I think it's safe to say that the Chief of  
19 Staff of the Department, there's not one model. There's not  
20 one model. There's different models for it. Often that  
21 comes out of a person's specific background, but it  
22 typically requires being a generalist with a grasp of all  
23 the ingredients, whether it's communications, policy, a good  
24 background, good management skills.

25           MR. WITTMANN: And before you were at the State

1 Department, did you work for the Secretary before here?

2 MR. WADE: Yeah. Yes. I was--I was Secretary Kerry--I  
3 was then Chairman Kerry's Chief of Staff for the years when  
4 he was chairing the Senate Foreign Relations Committee.

5 MR. WITTMANN: Understood. Thank you.

6 I'd like to turn to our first exhibit, Exhibit No. 1,  
7 please, Will.

8 And, Mr. Wade, you're going to see this appear on your  
9 screen in a second.

10 [Wade Exhibit No. 1 marked for  
11 identification.]

12 MR. SAUBER: Let me just interrupt for a second, Scott.

13 I don't have these numbered. I was given them as a  
14 list. When you say Exhibit 1, is it the first exhibit that  
15 I received?

16 MR. WITTMANN: Mr. Sauber, I think all of the exhibits  
17 that you received have numbers on them. I don't know what  
18 order those numbers are in, in your In Box, but they all  
19 have numbers that will correspond today with the exhibits  
20 that we are using.

21 MR. SAUBER: Okay. So if you're--

22 MR. WITTMANN: In the anticipated order in which we are  
23 using them.

24 MR. SAUBER: Okay. So you're going to have to give me  
25 a second, then--

1 MR. WITTMANN: Sure.

2 MR. SAUBER: --to find this one. So this is Susan  
3 Crabtree. Is that--just hold on one second. No. One sec.  
4 Not that many.

5 MR. SCHRAM: I'll note again, the Majority has not  
6 provided this to the Minority. So I would ask that you hold  
7 your questioning until we have an opportunity to find it and  
8 distribute it.

9 MR. SAUBER: Okay. Zack, you work that out with them.  
10 All I'm saying is I now have the exhibit up in front.

11 MR. WITTMANN: Understood. Note, Zack, we've used this  
12 exhibit before, and it's on the screen as we speak.

13 MR. SCHRAM: Okay. Well, I'll let you know when we  
14 have it in front of us and we're ready.

15 MR. WITTMANN: Mr. Wade, have you had a chance to  
16 review this document?

17 MR. WADE: I--I glance--I scanned it quickly, yeah.  
18 Yes.

19 MR. WITTMANN: Okay. So, according to public reports,  
20 this being one of them--

21 MR. SCHRAM: Scott, not to repeat myself, we're not  
22 going to let the record continue until we have an  
23 opportunity to have this document in front of us. I'm  
24 looking at two sentences on a screen. It is not for us to  
25 follow along in this fashion. This is something that you

1 could have easily remedied in advance of this.

2 MR. FOLIO: Hey, Zack. So this is Joe.

3 The question that we're going to ask is about those  
4 first two sentences. Do you need time to read the first two  
5 sentences?

6 MR. SCHRAM: Just getting copy of the document now. So  
7 it's important for us--you have not even mentioned where it  
8 came, its origins, et cetera. So we'll need an opportunity  
9 to look at the exhibit.

10 MR. FOLIO: And, Zack, this is the document you've seen  
11 during previous interviews, right?

12 MR. SCHRAM: I'm not the witness. I'd ask you to  
13 direct your questions to the witnesses--the witness.

14 MR. FOLIO: We're going to proceed to ask questions of  
15 the witness, then. So insofar as you need time to see  
16 something that you've already seen before, that something is  
17 on the screen. You've had that time. It's on the screen,  
18 and if you're refusing to answer questions, that's fine. So  
19 I'm going to ask Scott to go ahead.

20 MR. WITTMANN: Thank you.

21 According to public reports, Vice President Biden  
22 became the public face of the administration's handling of  
23 the Ukraine in April 2014. From your perspective, Mr. Wade,  
24 what was Vice President Biden's role in developing U.S.  
25 policy toward Ukraine?

1 MR. WADE: I--candidly, I did not have detailed  
2 visibility into that process.

3 MR. WITTMANN: And when you say "into that process,"  
4 could you expand on that?

5 MR. WADE: I was not directly involved in the  
6 interagency process on Ukraine. Obviously, there's a whole-  
7 of-government approach. Secretary was in the lead and was  
8 very active with the team at the Department, but I was not--  
9 I did not have a whole lot of visibility into what Vice  
10 President Biden specifically was doing, shaping up the  
11 policy.

12 MR. SAUBER: Scott, can I just clarify? This is Dick  
13 Sauber again. What is this? It is a piece of paper. We  
14 can see it. But can you identify what it is, where it's  
15 from?

16 MR. WITTMANN: Sure. This is a Washington Examiner  
17 article published on April 25th, 2014.

18 MR. SAUBER: So when you prefaced your--just for  
19 clarity, when you prefaced your question--you know, there  
20 are published reports, et cetera--do you have other reports  
21 other than this one that you're referring to?

22 MR. WITTMANN: I think that there are other reports.  
23 This is the one that we've been using as an example.

24 MR. SAUBER: Okay. So your representation just in this  
25 question is this is from something called the Washington

1 Examiner, and you're saying this is representative of lots  
2 of other reports?

3 MR. WITTMANN: I don't know--I don't know how many  
4 other reports, but there have been reports that have made  
5 similar representations. This is one of them.

6 MR. SAUBER: Okay.

7 MR. WITTMANN: And this is the one that we are using as  
8 the basis for the question about Vice President Biden being  
9 the public face of the administration's handling of the  
10 Ukraine, which is a direct quote from this article.

11 MR. SAUBER: I can see that. Okay.

12 David, did you finish your answer? Do you have other  
13 things to say?

14 MR. WADE: No. I mean, nothing--nothing else to add  
15 other than, I guess, just to--just to mention I don't recall  
16 seeing this article at the time, I guess, April 2014. I  
17 didn't--I did not read Susan Crabtree's piece back then that  
18 I recall.

19 MR. WITTMANN: Do you recall in terms of whether or not  
20 there was a perception that Vice President Biden was a  
21 public figure or a public face of the administration's  
22 handling of Ukraine policy at that time?

23 MR. WADE: Not that--not that I was involved in or  
24 aware of. I mean, again, I thought Secretary Kerry and the  
25 State Department is meeting in the driver's seat with

1 respect to the administration's policy on Ukraine.

2 MR. WITTMANN: So just so I understand for the record,  
3 from your perspective as Chief of Staff to Secretary Kerry,  
4 you felt that Secretary Kerry was the--I think you said the  
5 lead figure in this role with regard to U.S.-Ukraine policy?

6 MR. WADE: Yeah. I mean, Secretary Kerry and the State  
7 Department.

8 MR. WITTMANN: And who specifically at the State  
9 Department?

10 MR. WADE: Secretary Kerry, Assistant Secretary Nuland.

11 MR. WITTMANN: And what was their role in driving U.S.-  
12 Ukraine policy?

13 MR. WADE: Again, I was not--I was not involved in the  
14 details on Ukraine policy. This was not an area that I  
15 specialized in, but they were certainly--in my mind, they  
16 were the ones thinking about the larger--the larger strategy  
17 for the Department of how we supported the new--the new  
18 Ukraine coming out of the revolution in the Maidan.

19 MR. WITTMANN: And what were their specific policies  
20 that you were aware of that they were--that they were  
21 pushing and that they supported?

22 MR. WADE: From the U.S. side, it was obviously helping  
23 the new Ukraine deliver after such frustration, you know,  
24 that went to the revolution and the Maidan. So it was  
25 increased need from the United States. It was--it was

1 reform of the institutions, and it was obviously helping to  
2 protect Ukraine from Russia and obviously dealing with--  
3 dealing with Vladimir Putin's efforts to dismember the  
4 country.

5 MR. WITTMANN: And you mentioned reform. What type of  
6 reform were you referring to?

7 MR. WADE: Modernizing the economy, reforming and  
8 opening up the government.

9 MR. WITTMANN: Were they also pushing measures  
10 regarding anti-corruption efforts in Ukraine?

11 MR. WADE: Yeah. Again, I--I know that the answer is  
12 yes. I was not involved in those specific initiatives.

13 MR. WITTMANN: Do you--who--could you tell us who was  
14 outside of Secretary Kerry and Ms. Nuland?

15 MR. WADE: In terms of within the State Department?

16 MR. WITTMANN: Yes, sir.

17 MR. WADE: I mean, Secretary Kerry and Assistant  
18 Secretary Nuland would have been the people that I was--  
19 again, who--if I had a question, that would be the function--  
20 -would have been the ENR Bureau at the State Department.

21 MR. WITTMANN: When you were Chief of Staff for  
22 Secretary Kerry at the State Department, did you facilitate  
23 any meetings that involved Ukrainian officials?

24 MR. WADE: Not that I recall.

25 MR. WITTMANN: Okay. Could you tell us about the

1 extent to which you were involved in briefings or  
2 preparations regarding Ukraine policy at the State  
3 Department?

4 MR. WADE: I mean, limited.

5 MR. WITTMANN: Okay. I want to go to Exhibit 2.

6 And, Mr. Sauber, I believe this will be the PDF labeled  
7 2, and it's one page. It's Bates No. 3766. This is the  
8 only information on that page that appears on the screen.

9 [Wade Exhibit No. 2 marked for  
10 identification.]

11 MR. SAUBER: I have it. Thank you.

12 MR. WITTMANN: Mr. Wade--

13 MR. SCHRAM: Again, I would ask that the Majority pause  
14 its questioning so that the Minority might find and refer to  
15 this document.

16 MR. WITTMANN: It's Bates No. 3766. It's on the  
17 screen. It's one page.

18 This document, Mr. Wade, shows a meeting--

19 MR. SCHRAM: Sorry. Scott, we don't have the document  
20 yet. I'd like to confirm that this is a complete record,  
21 that in the past, you have segregated records in a way that  
22 wasn't consistent with the way we've received it. So  
23 because you have not provided this to us in advance, we'll  
24 now take a moment to review and make sure it's consistent  
25 with the records that we've received.

1 MR. WITTMANN: Thank you, Zack. It's 3766. Please let  
2 us know when you're ready.

3 [Pause.]

4 MR. SCHRAM: Thank you. We're ready.

5 MR. WITTMANN: Thank you.

6 Mr. Wade, this document shows a meeting invitation in  
7 February 2015 for, quote, "S Prep for PC on Ukraine," end  
8 quote. Could you tell us what PC stands for, please?

9 MR. WADE: Principals Committee.

10 MR. WITTMANN: And could you describe what that is?

11 MR. WADE: On the National Security Council or the  
12 interagency process, a PC would be the highest level of  
13 meeting, with the exception of a full National Security  
14 Council meeting. At a full National Security Council  
15 meeting, the President would be a participant. So this  
16 would be the step down, which would be just one step down  
17 from that, but a Principals Committee meeting would be a  
18 separate State, Secretary of Defense, any, you know,  
19 relevant National Security Council members at that--at the  
20 highest--highest level.

21 And, you know, typically State Department will  
22 typically have may be a plus one or a plus two. So  
23 presumably--and again, I'm speculating. I do not recall  
24 seeing this document. Typically, the State Department on  
25 Ukraine, Assistant Secretary Nuland would accompany the

1 Secretary to the meeting.

2 MR. WITTMANN: So just so I understand, at this  
3 Principals Committee meeting, of course, this document is in  
4 reference to preparation for that, but at the actual  
5 Principals Committee meeting--and we don't know if it was  
6 the case for this one in particular, but generally speaking,  
7 Secretary Kerry would attend that?

8 MR. WADE: Yes.

9 MR. WITTMANN: And for preparation for those meetings,  
10 would you normally attend?

11 MR. WADE: It would depend on the issue. Typically, if  
12 it was on Ukraine I probably would not.

13 MR. WITTMANN: For this--okay.

14 MR. WADE: Typically, the Deputy Chief of Staff for  
15 Policy would be a part of that prep. As Chief of Staff, I  
16 was able to join any prep session, and was always invited to  
17 join a prep session. But whether I did or not, whether I  
18 actually did or not would depend on the issue, my schedule,  
19 what else was happening that day.

20 MR. WITTMANN: Did you attend a prep session in  
21 February 2015 for PC--Principals Committee on Ukraine?

22 MR. WADE: So I don't recall either this document or a  
23 PC meeting on Ukraine in February of 2015, so I can't speak  
24 with specific recollection to it. However, most likely I  
25 did not, because in looking at that date, at the time, which

1 is February 2, 2015, we were--my wife was home on bed rest  
2 with a difficult pregnancy, and we were--most days in  
3 February we did not know whether it would be the day we had  
4 our baby or not. I knew that I was effectively going to be  
5 leaving the Department when the baby came, so most of my  
6 time was spent on administrative things, you know,  
7 preparing--bucking things up so that when I left things  
8 would be in good hands. So I would be very surprised if I  
9 attended that.

10 MR. WITTMANN: Okay. Who would have gone in your place  
11 to this meeting, if it occurred?

12 MR. WADE: To the prep session?

13 MR. WITTMANN: Yes, sir.

14 MR. WADE: Well, it wouldn't be in my place. It  
15 wouldn't be a substitute.

16 MR. WITTMANN: A substitute, you said?

17 MR. WADE: There would not be a substitute for me.

18 MR. WITTMANN: Oh, okay. Understood. I think you  
19 mentioned earlier that Deputy of Chief of Staff--I'm sorry  
20 if I misheard that--would attend these meetings as well?

21 MR. WADE: For any S meeting prep, the Chief of Staff  
22 and the Deputy Chief of Staff would be invited to attend.

23 MR. WITTMANN: And who was the Deputy Chief of Staff at  
24 this time?

25 MR. WADE: John Finer.

1 MR. WITTMANN: And if Mr. Finer attended a meeting that  
2 you were unable to attend, would he give you a summary or a  
3 memo about what occurred in that meeting after it took  
4 place?

5 MR. WADE: It would depend on--it would depend on the  
6 issue.

7 MR. WITTMANN: Would preparations for a Principals  
8 Committee meeting be the type of meeting Mr. Finer would  
9 brief you on after it occurred?

10 MR. WADE: It depends on the--again, it would depend on  
11 the issue. I mean, we had--there were often multiple PCs in  
12 the course of a week. There were what we call pop-up PCs  
13 that happened quickly, on issues that were suddenly urgent  
14 or time sensitive. So, you know, typically, no, I would ask  
15 him or he would ask me if one of us, you know, was very  
16 involved in something or needed some help.

17 MR. WITTMANN: Was he more involved on issues related  
18 to Ukraine than you were?

19 MR. WADE: I don't recall.

20 MR. WITTMANN: From 2014 to 2015, did you ever have  
21 meetings or discuss with Secretary Kerry or others at the  
22 State Department their thoughts of the Prosecutor General's  
23 Office in Ukraine?

24 MR. SAUBER: Can I ask the State Department to advise  
25 us about whether this question about advice and discussions

1 that Mr. Wade might have had with the Secretary is an  
2 appropriate question from the Department's standpoint?

3 MR. THOMAS: Yeah. I can hear--thank you--could I hear  
4 the question again?

5 MR. WITTMANN: Sure. The question was, from 2014 to  
6 2015, did Mr. Wade have conversations with Secretary Kerry  
7 or others at the State Department and have an understanding  
8 of their thoughts of the Prosecutor General's Office in  
9 Ukraine.

10 MR. THOMAS: If it's a view--if this related to the  
11 formulation of policy or was pre-decisional as to an action  
12 or a proposal to be taken, then I am going to suggest that  
13 Executive branch confidentiality interests may be  
14 implicated. If it's simply an opinion as to whether or not  
15 that office was good, bad, indifferent, or a prosecutor was  
16 good, bad, or indifferent, outside the context of a specific  
17 pre-decisional process, then I would not raise that issue.

18 So it may be that Mr. Sauber and I and Mr. Wade need to  
19 have a separate conversation, because I don't know what the  
20 answer is going to be.

21 MR. FOLIO: And this is Joe Folio, if I may interject.  
22 So the question, in particular, was whether or not Mr. Wade  
23 participated in those conversations, which does not call for  
24 a privileged response. Mr. Thomas, as you pointed out,  
25 insofar as there is such a thing as the deliberative process

1 privilege that would apply to Congress, it would only apply  
2 to the substance of the conversations in certain  
3 circumstances, and I think there's a little more detail to  
4 all of that that we would need to discuss, which is to  
5 clarify these types of questions, whether or not he  
6 participated in conversations, we do not believe calls for  
7 any privileged information, because it's just the fact of  
8 the conversations as opposed to what was discussed. I think  
9 if the question then becomes what was discussed, we can have  
10 a little more detailed conversation about the boundaries of  
11 the privilege.

12 MR. THOMAS: My apologies. You are right, sir. Mr.  
13 Sauber and I think--and we're ahead of ourselves a bit.

14 MR. SAUBER: So this is a yes/no question, David.

15 MR. WADE: Do you mind just repeating the question?

16 You are on mute, Scott.

17 MR. WITTMANN: From 2014 to 2015, did you engage in  
18 discussions with Secretary Kerry or anyone else at the State  
19 Department about the Prosecutor General's Office of Ukraine?

20 MR. WADE: Not that I remember, no.

21 MR. SAUBER: So I guess we don't need the privilege  
22 issue resolved.

23 MR. WITTMANN: Mr. Wade, were you aware of any  
24 conversations of officials at the State Department regarding  
25 the effectiveness of the Prosecutor General's Office of

1 Ukraine, or the Prosecutor General himself?

2 MR. WADE: No.

3 MR. WITTMANN: Were you aware of allegations from  
4 individuals in the State Department raising concerns that  
5 individuals in former Prosecutor General Yarema's office  
6 accepted bribes from a person named Mykola Zlochevsky?

7 MR. SAUBER: I am assuming you're asking him was he  
8 aware back in 2014 and '15?

9 MR. WITTMANN: Correct. Correct. Just to repeat the  
10 question, were you aware of officials in the State  
11 Department raising concerns that individuals in the  
12 Prosecutor General's Office of Ukraine, and at that time it  
13 would have been Prosecutor General Yarema, accepting bribes  
14 from a person named Mykola Zlochevsky?

15 MR. WADE: No.

16 MR. WITTMANN: Were there any discussions that you were  
17 involved in regarding the company Burisma?

18 MR. SAUBER: Time frame?

19 MR. WITTMANN: During your time as Chief of Staff to  
20 Secretary Kerry.

21 MR. WADE: Can you repeat the first part of that  
22 question please?

23 MR. WITTMANN: Do you recall--were you aware of any  
24 conversations regarding the company Burisma?

25 MR. WADE: Let me just answer in this way. The only

1 time I became aware of the company Burisma was when there  
2 were news reports happening around the issue of--media  
3 questions about Chris Heinz, suggesting that he had invested  
4 or was buying Burisma. That was the first time I heard  
5 about Burisma.

6 MR. WITTMANN: I'm sorry. The last part, you  
7 mentioned--mine was breaking up--regarding Chris Heinz,  
8 bringing up what again?

9 MR. WADE: Right. The first time I heard any mention  
10 of Burisma in the context that I ever heard the word  
11 "Burisma" was when there were media reports and media  
12 inquiries to the Department suggesting, inaccurately, that  
13 Secretary Kerry's stepson had bought or invested in, or was  
14 taking over Burisma.

15 MR. WITTMANN: And what were the dates of when you  
16 began receiving those media inquiries?

17 MR. WADE: I don't have the--the specific date is one  
18 of your exhibits.

19 MR. WITTMANN: Okay.

20 MR. WADE: It's May 14, 2014, is when we began  
21 receiving media inquiries.

22 MR. WITTMANN: Okay. I want to turn now to Exhibit 3,  
23 Mr. Sauber. That is labeled as 3.

24 [Wade Exhibit No. 3 was marked  
25 for identification.]

1 MR. SAUBER: I see the numbering now.

2 MR. WITTMANN: Mr. Wade, let us know when you're ready.

3 MR. WADE: I'm ready.

4 MR. WITTMANN: Okay.

5 MR. SCHRAM: Scott, does this document have a Bates  
6 number?

7 MR. WITTMANN: No, Zack. This is a public document  
8 that was released via FOIA.

9 MR. SCHRAM: Okay. So please allow a minute for us to  
10 find this document, confirm it's what you say it is, and  
11 give us a chance to familiarize ourselves with it.

12 Okay. We've got it.

13 MR. WITTMANN: Okay, Zack.

14 Mr. Wade, on May 13, 2014, Chris Heinz emailed you and  
15 Matt Summers and wrote, quote, "Apparently Devon and Hunter  
16 both joined the board of Burisma and a press release went  
17 out today. I can't to speak why they decided to but there  
18 was no investment by our firm in their company."

19 Mr. Wade, you mentioned before that Chris Heinz is  
20 Secretary Kerry's stepson. Correct?

21 MR. WADE: Yes.

22 MR. WITTMANN: And who is Matt Summers?

23 MR. WADE: Matt was a special assistant.

24 MR. WITTMANN: I'm sorry. Special assistant? That was  
25 his title?

1 MR. WADE: Yeah.

2 MR. WITTMANN: And this email is to you and Mr.  
3 Summers. Correct?

4 MR. WADE: Yes.

5 MR. WITTMANN: I this email, Mr. Heinz references  
6 Devon. Who is Devon?

7 MR. WADE: He is referring to Devon Archer.

8 MR. WITTMANN: And who is Devon Archer?

9 MR. WADE: Devon--I don't know Devon well. Devon was a  
10 part of Rosemont Seneca. He was a--he was either a  
11 volunteer or a staffer in 2004, on then Senator Kerry's  
12 presidential campaign.

13 MR. WITTMANN: And when did you first meet Mr. Archer?

14 MR. WADE: I probably met him sometime around the 2004  
15 campaign.

16 MR. WITTMANN: Okay. And you mentioned that he has a  
17 connection to Rosemont Seneca. Could you explain what the  
18 relationship is between Mr. Archer and Rosemont Seneca?

19 MR. WADE: I don't have granular visibility into that,  
20 but I know he worked there.

21 MR. WITTMANN: And what is Rosemont Seneca?

22 MR. WADE: It is--it either is or was--again, I don't  
23 have great visibility into this, but it was Chris Heinz's  
24 investment firm.

25 MR. WITTMANN: And when did you become aware of

1 Rosemont Seneca?

2 MR. WADE: Just in passing in the context of working  
3 for Senator Kerry.

4 MR. WITTMANN: Do you remember when you became aware of  
5 Rosemont Seneca?

6 MR. WADE: No.

7 MR. WITTMANN: Or how you became aware of Rosemont  
8 Seneca?

9 MR. WADE: I don't remember specifically how. I mean,  
10 it's just--it was--I only knew it as Senator Kerry's  
11 stepson's company.

12 MR. WITTMANN: Do you remember whether you became aware  
13 of Rosemont Seneca as Chief of Staff at the State Department  
14 or while you were working for Secretary Kerry in the Senate?

15 MR. WADE: The latter. During the Senate years, I  
16 believe.

17 MR. WITTMANN: And just for the record, I just want to  
18 make sure that we asked, at what point did you become aware  
19 that Devon Archer was involved with Rosemont Seneca?

20 MR. WADE: I don't know. I don't remember.

21 MR. WITTMANN: Okay.

22 MR. WADE: I mean, I did not have a whole lot of  
23 interaction with Chris, particularly, so I--you know, other  
24 than knowing his company was called Rosemont Seneca, I did  
25 not have a lot of day-to-day visibility or knowledge.

1 MR. WITTMANN: What was your reaction to receiving this  
2 email from Mr. Heinz?

3 MR. WADE: So I did not--obviously I received this  
4 email, at least according to what's in front of the Exhibit.  
5 I received it at the time. I did not--I was not aware of  
6 this email until press coverage when it became public as a  
7 result of FOIA.

8 MR. WITTMANN: Do you know why Mr. Heinz sent you and  
9 Mr. Summers this message?

10 MR. WADE: I don't.

11 MR. WITTMANN: Did you--

12 MR. WADE: Sorry. No, I--again, I was not--as I said,  
13 I was not aware of this email until recent years when it  
14 became public.

15 MR. WITTMANN: Did you frequently correspond with Mr.  
16 Heinz on email?

17 MR. WADE: No. Not that I remember, unless he had a  
18 specific question for me.

19 MR. WITTMANN: Was it out of the ordinary for Mr. Heinz  
20 to send you an email?

21 MR. WADE: You know, I don't remember whether I ever  
22 received emails from him, you know, but typically, you know,  
23 typically if I did it was if something was in the news that  
24 affected him or something like that.

25 MR. WITTMANN: And after receiving those types of

1 emails, what would you usually do?

2 MR. WADE: I mean, usually it would be a question for  
3 me, and I would--you know, I would try to answer it.

4 Typically it would be if he was receiving media calls or  
5 something about his stepfather.

6 MR. WITTMANN: At the time you received this email,  
7 what was your awareness of the company called Burisma?

8 MR. WADE: I don't think any.

9 MR. WITTMANN: Do you know when Mr. Archer and Mr.  
10 Hunter Biden joined the board of Burisma?

11 MR. WADE: We--the following day, after that email was  
12 sent, we received media calls suggesting that Chris Heinz  
13 had invested in or bought the company or that Rosemont  
14 Seneca had, and that Devon Archer and Hunter Biden were  
15 joining the board of Burisma. That was the first I had  
16 heard of any of that.

17 MR. WITTMANN: Did you confirm whether any of that was  
18 true, outside of what the press was asking you to--and the  
19 State Department to comment on?

20 MR. WADE: We--I reached out, I believe it was that  
21 Wednesday, to try to reach Chris Heinz, to try to confirm--  
22 since we were being asked whether he, or that Rosemont  
23 Seneca was buying or investing in Burisma, I tried to reach  
24 Chris to confirm that, and to find out what the facts were.

25 MR. WITTMANN: So you recall reaching out to Chris

1 Heinz on Wednesday, May 14th.

2 MR. WADE: That's right.

3 MR. WITTMANN: But I think you said you don't remember  
4 receiving this email from Mr. Heinz the day before.

5 MR. WADE: Correct.

6 MR. WITTMANN: And were you able to get ahold of Mr.  
7 Heinz the following--on May 14, 2014?

8 MR. WADE: I think that I eventually was able. Again,  
9 this is six years ago. But I believe that I was eventually  
10 able to reach Chris or someone else there, and I--and  
11 confirmed that Rosemont Seneca and Chris Heinz were not  
12 part--were not investing in or buying a Ukrainian gas  
13 company.

14 MR. WITTMANN: And how were you able to confirm that?

15 MR. WADE: Either--again, it was either talking to  
16 Chris or to someone else at Rosemont Seneca.

17 MR. WITTMANN: And--

18 MR. WADE: I believe--

19 MR. WITTMANN: --based on--

20 MR. WADE: --to Chris.

21 MR. WITTMANN: Okay. So you spoke to Mr. Heinz on May  
22 14, 2014?

23 MR. WADE: On the Wednesday. Yeah, I believe it's--  
24 it's whatever day we started getting the press calls, when  
25 some of the first stories ran.

1 MR. WITTMANN: And did anyone else join you on those  
2 calls?

3 MR. WADE: I don't think so.

4 MR. WITTMANN: And was it typical for you to call Mr.  
5 Heinz after receiving press inquiries?

6 MR. WADE: If we got a press inquiry about him?

7 MR. WITTMANN: Sure.

8 MR. WADE: Yeah, absolutely.

9 MR. WITTMANN: And how often did that happen?

10 MR. WADE: Occasionally. Periodically. A couple of  
11 times a year.

12 MR. WITTMANN: And you mentioned that you were able to  
13 confirm what he had said beyond him telling you that  
14 Rosemont Seneca didn't have any investment and, you know,  
15 wasn't buying Burisma. Did he provide you any other  
16 information or detail supporting that claim?

17 MR. WADE: Supporting the fact that Rosemont Seneca was  
18 not investing or buying Burisma?

19 MR. WITTMANN: Correct.

20 MR. WADE: No. You mean, like paperwork, or not?

21 MR. WITTMANN: Any other additional information besides  
22 him just giving you the assurances.

23 MR. WADE: No. Essentially what is basically the facts  
24 that are in that email from Tuesday, that Rosemont Seneca  
25 was not involved in it.

1 MR. WITTMANN: In that conversation with Mr. Heinz, did  
2 you discuss Burisma?

3 MR. WADE: No.

4 MR. WITTMANN: Did Mr. Heinz mention Burisma again? I  
5 mean, I'm assuming--

6 MR. WADE: Just to confirm that he was not, and  
7 Rosemont Seneca was not involved. And again, I think it was  
8 Chris, not someone else in the company. It could have been  
9 someone else at the company. But he was--he or they were  
10 working to correct the record on that as well.

11 MR. WITTMANN: And the company that you're referring to  
12 is Rosemont Seneca?

13 MR. WADE: Correct.

14 MR. WITTMANN: Did Mr. Heinz mention whether he had  
15 been in contact with Mr. Archer or Mr. Hunter Biden?

16 MR. WADE: Only to say that he was not involved in  
17 their joining the board of Burisma in their personal  
18 capacity.

19 MR. WITTMANN: In your opinion, what were Hunter  
20 Biden's qualifications for joining Burisma's board?

21 MR. WADE: I have no visibility into, other than media  
22 reports into what Hunter's role--Hunter Biden's role was on  
23 the board.

24 MR. WITTMANN: And what about Mr. Archer?

25 MR. WADE: Similar.

1 MR. WITTMANN: Okay.

2 MR. WADE: Similarly. I mean, other than news reports  
3 I do not have visibility into their--into what their role  
4 was on the board, and I--and I can't--and candidly, I know  
5 very little about Devon.

6 MR. WITTMANN: Okay. I'm sorry. Is someone not on  
7 mute? Thank you.

8 Mr. Wade, you mentioned that it was during these media  
9 inquiries were you first heard about the company Burisma.  
10 Can you describe what exactly it was that you heard about  
11 the company and what your understanding was of the company  
12 at the time?

13 MR. WADE: The questions that we were getting were  
14 strictly about--were about Chris Heinz's investment and  
15 Rosemont Seneca's investment. You know, my only knowledge  
16 from those--from that generally was that it was a large  
17 Ukrainian natural gas company.

18 MR. WITTMANN: And at the time, were you given any  
19 information about its owner?

20 MR. WADE: No.

21 MR. WITTMANN: At this time, in May 2014, were you  
22 aware of any U.S. Government position regarding Burisma?

23 MR. WADE: Not regarding Burisma, no.

24 MR. WITTMANN: Did you speak to Secretary Kerry about  
25 the email you received from Mr. Heinz?

1 MR. SCHRAM: Scott, sorry, just a moment. On my video  
2 it's showing that we've lost Mr. Sauber, or I don't know.  
3 Mr. Sauber, are you still here?

4 [No response.]

5 MR. WITTMANN: We can pause as we try to get Mr. Sauber  
6 back on.

7 [Pause.]

8 MR. WITTMANN: Mr. Sauber, can you say something, just  
9 so we know that you can hear us and that we can hear you,  
10 please?

11 [No response.]

12 MR. WITTMANN: Well, we can't hear you, Mr. Sauber, so  
13 I don't know if you can hear us.

14 [Pause.]

15 MR. WADE: Can I take just a one-minute break, and I'll  
16 be right back?

17 MR. SCHRAM: Can I--I believe the witness asked for a  
18 short break. Did you get that, Joe? Is that okay?

19 MR. WITTMANN: Yes, Mr. Wade. Let's go ahead and take  
20 a break. Do we want to reconvene in five minutes? Does  
21 that work for you?

22 MR. WADE: That's great by me.

23 MR. WITTMANN: Zack? Good?

24 MR. SCHRAM: Yeah. Thank you.

25 MR. WITTMANN: Yeah, you've got it.

1 MR. SAUBER: David, if you don't mind, give my cell  
2 phone a call.

3 MR. WADE: Great.

4 MR. WITTMANN: Mr. Sauber, we hear you.

5 MR. SAUBER: Yeah, I can hear you now. Did you guys  
6 see that I got kicked off or something?

7 MR. WITTMANN: Yes. Mr. Schram flagged that and we  
8 immediately paused as soon as we saw that. Just for your  
9 benefit, Mr. Wade asked for a break. We are going to take  
10 five and then reconvene in a few minutes.

11 MR. SAUBER: Thank you. Appreciate it.

12 MR. WITTMANN: Thank you.

13 [Recess.]

14 MR. WITTMANN: All right. Let's go back on the record.

15 Mr. Wade, I think where we last left off before we  
16 heard that Mr. Sauber might not be on the line, the question  
17 that I had asked was whether you spoke with Secretary Kerry  
18 about the email that you received from Mr. Heinz.

19 MR. SAUBER: This is a yes/no question, David.

20 MR. WITTMANN: And, Mr. Wade, I don't know if you're  
21 answering the question. I can't hear you.

22 [No response.]

23 MR. WITTMANN: Mr. Wade, I'm hearing on my end that you  
24 might be on mute.

25 [No response.]

1 MR. WITTMANN: Let's pause for a second until we get  
2 Mr. Wade back on.

3 [Pause.]

4 MR. WITTMANN: Mr. Wade, I'm hearing that your home  
5 line might be muted, which might be why we're having trouble  
6 hearing you.

7 MR. WADE: Can you hear me now?

8 MR. WITTMANN: Yes. Can you hear me?

9 MR. WADE: Yeah. I didn't touch anything, so--

10 MR. WITTMANN: Oh, okay. No problem.

11 Okay. Let's go back on the record. Mr. Wade, I don't  
12 know if you heard my question. I'm happy to ask it again.

13 MR. WADE: Sure.

14 MR. WITTMANN: The question was, Did you speak to  
15 Secretary Kerry about the email that you received from Mr.  
16 Heinz?

17 MR. SAUBER: And--okay. Sorry.

18 MR. WITTMANN: I'm sorry. I didn't hear that.

19 Mr. Wade, could you please repeat your response?

20 MR. WADE: I did not--I did not speak to Secretary  
21 Kerry about the email I received from Chris Heinz.

22 MR. WITTMANN: Did you speak to Secretary Kerry about  
23 the phone conversation that you had with Mr. Heinz the  
24 following day?

25 MR. WADE: Not specifically.

1 MR. WITTMANN: Could you please expand on that?

2 MR. WADE: Sure. So the day when we got all these  
3 press calls--I think Wednesday--I made Secretary Kerry aware  
4 that we were getting a lot of calls from the media  
5 suggesting that Rosemont Seneca had invested in or bought a  
6 Ukrainian natural gas company, and I let him know that we  
7 were trying to--that I was trying to find out the facts.

8 And then when I did, I let him know that Chris Heinz  
9 and Rosemont Seneca were not involved, that the media  
10 questions were inaccurate, and that Chris Heinz was not  
11 buying or investing in a Ukrainian natural gas company, but  
12 that my understanding was that--was that Hunter Biden and  
13 Devon Archer, according to the stories, that that was  
14 accurate, that they were going on--that they were joining a  
15 board.

16 MR. WITTMANN: So were these conversations, emails,  
17 phone calls? Do you remember?

18 MR. WADE: I don't recall whether it was in-person  
19 conversation or a phone call.

20 MR. WITTMANN: But you remember talking about Hunter  
21 Biden and Devon Archer with Secretary Kerry?

22 MR. WADE: I remember making him aware in case he got  
23 any press questions that these questions were out there  
24 about Christopher Heinz and Rosemont Seneca, and that we  
25 were specifically being asked for the Secretary's reaction

1 to his--to his stepson investing in or buying a Ukrainian  
2 natural gas company. And I--and I let him know that that  
3 was what we were trying to confirm.

4 MR. WITTMANN: And when did this conversation take  
5 place with the Secretary?

6 MR. WADE: The day of the--the day of the media  
7 inquiries.

8 MR. WITTMANN: Was that May 14th, 2014?

9 MR. WADE: I think--I believe so. That's the  
10 Wednesday, correct?

11 MR. WITTMANN: Correct. That would have been the  
12 Wednesday of that month on that day.

13 MR. WADE: Yeah, I believe so.

14 MR. WITTMANN: And what was Secretary Kerry's reaction  
15 to you telling him about these media inquiries and  
16 specifically the connections of Hunter Biden and Devon  
17 Archer to Burisma?

18 MR. SAUBER: [Inaudible--audio difficulties]  
19 appropriate question for Mr. Wade to answer.

20 MR. WADE: What's that, Dick? I couldn't hear you.

21 MR. SAUBER: I just wanted the State Department  
22 representatives to opine before you go ahead in answering  
23 that question.

24 MR. THOMAS: Mr. Sauber, do you think that question  
25 calls for a discussion of official U.S. Government business

1 or a pre-decisional matter relating to the development of  
2 policy?

3 MR. SAUBER: Could be, depending on what the answer is,  
4 sure.

5 MR. THOMAS: Oh, okay. So matters relating to a  
6 stepson's personal business investments and his partner's  
7 board memberships are--you think they are related to U.S.  
8 Government business?

9 MR. SAUBER: Well, what if the--and I--

10 MR. THOMAS: Then you better talk about that offline,  
11 then.

12 MR. SAUBER: Well, I have no idea, but obviously if  
13 the--

14 MR. THOMAS: No. If there are theoretic--I'm sorry. I  
15 was giving the Secretary the benefit of the doubt that there  
16 was not a theoretical basis for that type of material to  
17 involve U.S. Government business, but if there is, then we  
18 should talk about it offline.

19 MR. SAUBER: I don't know if there is or not. I think  
20 in many respects, that's the point of this inquiry, but if  
21 you're--absent to her information, which I don't have, if  
22 you're comfortable, then we'll go ahead.

23 MR. THOMAS: No. I'm concerned now that perhaps there  
24 were actual official U.S. Government interventions in this  
25 regard, of which I'm unaware, which would give me a basis to

1 assert potential executive branch confidentiality answers.  
2 So I'm happy to take the time to discuss with you and your  
3 client what the other background is about which I may not be  
4 aware.

5 MR. SAUBER: Okay.

6 David, do you think we need to discuss this? Are you--  
7 hearing what you're hearing, are you comfortable going  
8 ahead?

9 MR. WADE: I'm comfortable.

10 MR. SAUBER: Okay.

11 MR. THOMAS: Okay.

12 MR. SAUBER: Okay, Ken. We're okay.

13 Go ahead, David.

14 MR. WADE: Scott, do you just want to--do you mind just  
15 repeating the question?

16 MR. WITTMANN: Sure. My question was, What was  
17 Secretary Kerry's reaction to you informing him of these  
18 news inquiries about Mr. Heinz and the additional  
19 information regarding Mr. Archer's and Mr. Biden's--Mr.  
20 Hunter Biden's connection and involvement with Burisma?

21 MR. WADE: He knew nothing about it.

22 MR. WITTMANN: So he learned about this information  
23 from you?

24 MR. WADE: I believe so, yeah.

25 MR. WITTMANN: And when you told him that the

1 information that you were able to confirm with Mr. Heinz  
2 that Rosemont Seneca had--this is what my understanding of  
3 what you told me that Mr. Heinz told you, that Rosemont  
4 Seneca had not invested or bought Burisma, what was Mr.  
5 Kerry's reaction to that?

6 MR. WADE: If I recall, his reaction was that he was  
7 comfortable answering a press question if he got it.

8 MR. WITTMANN: I'm--Mr. Wade, the line was going a  
9 little out on my end. Do you mind repeating that, please?

10 MR. WADE: He was comfortable--he was comfortable  
11 answering a media question if he were--if he were to get  
12 one.

13 MR. WITTMANN: Did he--that he was comfortable  
14 answering the media question regarding what?

15 MR. WADE: Regarding--regarding--regarding Christopher  
16 Heinz or Rosemont Seneca investing in--in a Ukrainian  
17 natural gas company or buying a Ukrainian natural gas  
18 company.

19 MR. WITTMANN: And did you discuss with Mr. Kerry what  
20 his response to that type of inquiry would have been?

21 MR. WADE: I'm sure--I'm sure I did. I don't--I don't  
22 specially remember those details of the conversation.

23 MR. WITTMANN: Was Mr.--was Secretary Kerry supportive  
24 of the fact that you were conveying to him that Rosemont  
25 Seneca had no investment or did not buy Burisma?

1 MR. WADE: I don't--I'm not sure I understand what you  
2 mean by "supportive."

3 MR. WITTMANN: Did Secretary Kerry express to you  
4 whether or not--or comment on whether or not it was, you  
5 know, a good or bad thing regarding the news that you were  
6 conveying to Secretary Kerry?

7 MR. WADE: Yeah. Again, it's six years ago. I don't  
8 remember the details of it. I--you know, but I--but I know  
9 that our view was that--you know, again, what we were trying  
10 to do was deal with some very specific incoming questions  
11 from media that were--that were happening at the time and  
12 that were a surprise to us, and so that's really what we  
13 were quickly trying to address.

14 Any conversation--conversation with Secretary Kerry was  
15 not long or detailed.

16 MR. WITTMANN: Zack, I think that's the end of our  
17 first hour. I'm happy to turn it over to you or we can take  
18 another break, whatever the witness and you all prefer.

19 MR. SCHRAM: So, David, how are you feeling? Do you  
20 need another five, or, Richard, do you need another five?

21 MR. SAUBER: No. We'd like this to be over before the  
22 vaccine comes to fruition, so why don't you go ahead.

23 MR. SCHRAM: Okay. My colleague Soumya will lead the  
24 question this hour.

25 MS. DAYANANDA: Good afternoon, Mr. Wade. My name is

1 Soumya Dayananda. I'm one of the counsel on Senator Peters'  
2 staff. Thanks for your time today.

3 The Majority asked a number of questions about your  
4 role at the State Department as Chief of Staff, and that was  
5 from 2013 to 2015. I appreciate your description that you  
6 were a "jack of all trades" and a "generalist" of sorts. Is  
7 it fair to say that's the backdrop of your answers that  
8 you've provided today on the questions that have been asked?

9 MR. WADE: Yes.

10 MS. DAYANANDA: Understanding that, Mr. Wade, from what  
11 you observed, did Hunter Biden's role on the board of  
12 Burisma influence the Obama administration policy decisions  
13 with respect to Ukraine and Burisma holdings?

14 MR. WADE: I never heard the words "Hunter Biden" in  
15 any discussion about Ukraine that I was ever privy to.

16 MS. DAYANANDA: From what you observed, was foreign  
17 policy pursued by the State Department in Ukraine corrupt in  
18 any way?

19 MR. WADE: No.

20 MS. DAYANANDA: Based upon what you observed, did the  
21 State Department alter the United States Government's  
22 foreign policy concerning Ukraine to assist the Vice  
23 President's son?

24 MR. WADE: No, not even a little bit.

25 MS. DAYANANDA: Did you witness any efforts by any U.S.

1 official to shield Burisma from any scrutiny from the U.S.  
2 Government?

3 MR. WADE: No.

4 MS. DAYANANDA: Did you personally take any actions to  
5 benefit Burisma?

6 MR. WADE: No.

7 MS. DAYANANDA: Are you or anyone at the State  
8 Department--had took action to benefit Burisma or Hunter  
9 Biden?

10 MR. WADE: Not that I'm aware of, no.

11 MS. DAYANANDA: Are you aware of any Government  
12 official who took action to benefit Burisma or Hunter Biden  
13 outside of the State Department?

14 MR. WADE: No.

15 MS. DAYANANDA: Again, based upon what you observed  
16 during your time, did U.S. policy towards Ukraine change in  
17 any way because of Hunter Biden's employment on the board of  
18 Burisma?

19 MR. WADE: No.

20 MS. DAYANANDA: Did Hunter Biden's role on Burisma  
21 shield the company from any type of scrutiny by the U.S.  
22 Government?

23 MR. WADE: Not to my knowledge, no.

24 MS. DAYANANDA: Mr. Wade, Chairman Johnson has stated  
25 that Joe Biden has never adequately answered these

1 questions. I've said repeatedly--this is Senator Johnson  
2 saying, "If there's wrongdoing, the American people need to  
3 understand that. If there is no wrongdoing or it's not  
4 significant, the American people need to understand that."

5 Mr. Wade, to your knowledge, is there any factual basis  
6 to support the allegation that Joe Biden engaged in any  
7 wrongdoing with respect to Ukraine?

8 MR. WADE: Absolutely not.

9 MS. DAYANANDA: The Majority also asked you a series of  
10 questions based upon that Wall Street Journal inquiry  
11 concerning Chris Heinz's alleged investment in Burisma.

12 MR. WADE: Yeah.

13 MS. DAYANANDA: Did the Secretary's reaction to media  
14 inquiries, again, which were, as you said, inaccurate--did  
15 they affect U.S. policy towards Ukraine in any way?

16 MR. WADE: No.

17 MS. DAYANANDA: I have nothing further for you.

18 Thanks, Mr. Wade.

19 MR. SCHRAM: That's all for us, Joe.

20 [Pause.]

21 MR. FOLIO: Hi, Mr. Wade. I just have a few questions  
22 for you about the document you were discussing with my  
23 colleague.

24 If you can please pull that up again for everyone's  
25 benefit?

1 MR. SAUBER: What number is it?

2 MR. FOLIO: It's what we've marked as Exhibit 3.

3 MR. SAUBER: Okay.

4 MR. FOLIO: So, Mr. Wade, Mr. Heinz sent you this  
5 email. How as the subject matter of this email part of your  
6 job responsibilities?

7 MR. SAUBER: Joe, I don't understand. I don't  
8 understand that. If you could explain. I just don't  
9 understand the question.

10 MR. FOLIO: Why was Mr. Heinz sending you this email?

11 MR. WADE: So I--obviously, I can't speak for Chris  
12 Heinz, and again, as I said, I didn't see this email until  
13 it became public through a FOIA process and in the media.

14 My--if I were to speculate, as Chief of Staff to the  
15 Secretary and to the Department, Chief of Staff is typically  
16 the connective tissue back to the Secretary's family and  
17 life outside of the Department and outside of their job.

18 Years ago, I had been on the communications side of  
19 government, so that that was the context that Chris Heinz  
20 first got to know me. So I think if he's referring in this  
21 email to a press release that went out and he, I believe,  
22 presumed we might get media inquiries about it, logically,  
23 then he would give me the heads-up. I was the person at the  
24 Department that he knew.

25 MR. FOLIO: So with regard to your job

1 responsibilities, you viewed this email as being relevant to  
2 your work because of potential press inquiries you might  
3 receive about the subject matter?

4 MR. WADE: Well, press inquiries specific to Chris  
5 Heinz.

6 MR. FOLIO: To whom was Mr. Summers a Special  
7 Assistant?

8 MR. WADE: Mr. Summers--and I'm not being coy or cute  
9 here. I believe that the job title is Special Assistant to  
10 the Secretary, I believe, but for all effects and purposes,  
11 Matt Summers worked most directly with me.

12 MR. FOLIO: So why was Mr. Summers copied on this  
13 email?

14 MR. WADE: Again, without--without speculating or  
15 without--without speaking for Christ Heinz, if I'm Chris  
16 Heinz and I call Secretary Kerry's office and I ask to speak  
17 to David Wade, Matt would have been the person who would  
18 have answered and say, you know, "David Wade's office."  
19 Matt was my right-hand person--

20 MR. FOLIO: So you said for--

21 MR. WADE: I was--

22 MR. FOLIO: I'm sorry. Please go ahead.

23 MR. WADE: Sorry. I was just going to say--so,  
24 typically, if someone wanted to get a--you know, get a  
25 message in to me, if they were going to cc someone, it would

1 be Matt Summers.

2 MR. FOLIO: So with regard to your job  
3 responsibilities, you describe this as potentially being an  
4 issue from a press perspective. So was this an issue  
5 relevant for Secretary Kerry?

6 MR. WADE: I'm not--I'm not following you.

7 MR. FOLIO: You said that this was something that the  
8 press could ask about. So you're saying this is something  
9 the press could have asked Secretary Kerry about; therefore,  
10 this is why it was relevant to your job responsibilities?

11 MR. WADE: Or could ask the Department about--I mean,  
12 you know, since he--since the email references a press  
13 release being sent out, I presume that is the reason was  
14 that he thought we might be getting press questions, and he  
15 wanted me to be aware.

16 MR. FOLIO: So why was this a relevant issue for you to  
17 be aware of?

18 MR. SAUBER: I mean, are you asking him again to put  
19 himself in the mind of the person who sent it to him?

20 MR. FOLIO: No.

21 MR. SAUBER: You're asking him to say why does he think  
22 he received this?

23 MR. FOLIO: Yes. From his perspective sitting in the  
24 chair of Chief of Staff, this email comes across his screen,  
25 and Mr. Heinz is telling him about a decision by his private

1 business partners to join the board of Burisma.

2 So I want to understand from the Chief of Staff's  
3 perspective, how does he see this fitting into his roles and  
4 responsibilities as the Chief of Staff to the Secretary and  
5 how was this relevant to any work that he was going to do in  
6 his role for the support.

7 MR. SAUBER: All right. He's already said he didn't  
8 see it until months later. So leaving that aside, he has--  
9 this has been asked and answered, but I'll let him try  
10 again.

11 MR. WADE: Yeah. Again, I would speculate that Chris  
12 Heinz was flagging for me, since there was a press release,  
13 that we might be getting questions, and he was giving me  
14 that heads-up.

15 MR. FOLIO: You also said that you at some point, in  
16 some manner, had a conversation with Secretary Kerry about  
17 this. So was this just an issue about Secretary Kerry's  
18 ethics?

19 MR. WADE: No. I was making him aware that we were  
20 getting press inquiries, and that the press inquiries were  
21 centered on the idea that his stepson was investing or  
22 buying a Ukrainian natural gas company.

23 MR. FOLIO: So was this relevant to U.S. foreign policy  
24 to Ukraine?

25 MR. WADE: Was what relevant?

1 MR. FOLIO: The subject matter of the email, the  
2 decision of Devon Archer and Hunter Biden to join the board  
3 of Burisma and Mr. Heinz's decision to email you and  
4 distance himself from that decision.

5 MR. WADE: My view is that the board membership is  
6 their personal business, and I think Chris Heinz, when he  
7 studied the press released, was trying to make me aware of  
8 the potential that we would get media inquiries, and he  
9 wanted--and I presume he wanted me to know the facts.

10 And, you know, frankly, I wish I had seen his email.  
11 If I had, I would have started out with a little bit more  
12 knowledge than when we started getting media inquiries the  
13 next day based on false information.

14 MR. FOLIO: So aside from preparing the Secretary for a  
15 press increase--press inquiries, was there any concern that  
16 this decision would affect U.S.-Ukraine policy?

17 MR. WADE: No. God, no.

18 MR. FOLIO: Mr. Wade, why not?

19 MR. WADE: Why not what?

20 MR. FOLIO: So, in this email, Secretary Kerry's son is  
21 informing you that his business partners, one of whom,  
22 Hunter Biden, is the son of Vice President Biden, who is the  
23 tip of the spear for developing and implementing U.S. policy  
24 toward Ukraine. He's telling you that the Vice President's  
25 son has joined the board of a Ukrainian company, which

1 although not reflected in this email, was widely known to  
2 have been corrupt. And I'm just curious as to why you  
3 didn't think that was relevant to U.S.-Ukraine policy.

4 MR. SAUBER: Look, we're not--you can make all the  
5 speeches you want, but if you're going to ask him a factual  
6 question, leave your personal and political views out of the  
7 question, so we don't have to correct the whole thing.

8 MR. FOLIO: Mr. Wade?

9 MR. WADE: The simple answer is that Secretary Kerry  
10 and the State Department don't make policy based on anyone's  
11 personal business interest.

12 MR. FOLIO: Are you aware of anyone in the State  
13 Department raising concerns about Hunter Biden joining the  
14 board of Burisma?

15 MR. SAUBER: What time period?

16 MR. FOLIO: His time period as Chief of Staff.

17 MR. WADE: No.

18 MR. FOLIO: Not one person?

19 MR. WADE: Not that I know of, no. If they did, I  
20 don't believe it came through me.

21 MR. FOLIO: So what was your reaction to receiving this  
22 email in which Mr. Heinz is informing you about the decision  
23 of Mr. Biden and Mr. Archer to join Burisma's board and what  
24 seems to be him distancing himself from the decision?

25 MR. WADE: My--again, I didn't see the email until it

1 became public years later through FOIA and through media  
2 reports.

3 MR. FOLIO: I'm sorry. So just to clarify, you're  
4 saying for certain, you never saw this email, or you're  
5 saying you do not recall seeing this email until you later  
6 saw it?

7 MR. WADE: I don't recall seeing it. As I said a few  
8 minutes ago, I wish I had. It would have made my Wednesday  
9 a little bit easier.

10 MR. FOLIO: So were you aware that Burisma was paying  
11 money to Rosemont Seneca?

12 MR. SAUBER: As of what date?

13 MR. FOLIO: As of the date that he was chief of staff  
14 and saw this email.

15 MR. WADE: No.

16 MR. FOLIO: If you had known that Burisma was paying  
17 money to Rosemont Seneca to pay Mr. Archer and pay Mr.  
18 Biden, would that be consistent with the information  
19 contained in this email?

20 MR. WADE: I'm sorry. Can you repeat that?

21 MR. FOLIO: Sure. So, in this email, Mr. Heinz is  
22 distancing himself and Rosemont Seneca from Mr. Archer and  
23 Mr. Biden's decision to join the board of Burisma. I asked  
24 if you were aware that Burisma was actually paying money to  
25 Rosemont Seneca.

1 MR. SAUBER: Well, let's hold on. First of all, I  
2 don't see anywhere in this piece of paper about the word  
3 "distancing," which you've now used about eight times. This  
4 says there is no investment by our firm in their company.

5 If you want to ask him whether the information you gave  
6 him about the payment is inconsistent with the statement,  
7 there's no investment by our firm in the company, ask him  
8 that. But we're not going to go through a question and  
9 answer where you're setting the premise, which is not  
10 accurate.

11 MR. FOLIO: That was my question, and he asked me to  
12 rephrase. But if he's comfortable with the way you phrased  
13 it, I'm happy to have Mr. Wade answer that question.

14 MR. WADE: Yeah. I have no idea how payments to board  
15 members or Burisma--I have no idea what account those were  
16 sent to or any of that. I just don't have the ability into  
17 that.

18 MR. FOLIO: And if Burisma was paying money to Rosemont  
19 Seneca, would you view that as inconsistent with what Mr.  
20 Heinz told you in this email?

21 MR. WADE: My reading of that email is nowhere near  
22 that specific about those details. The point he is making  
23 in his email is that he is not an investor and the company  
24 is not an investor and the company is not--is not doing  
25 that.

1 MR. FOLIO: And, Mr. Wade, what was your awareness of  
2 Rosemont Seneca, and how was that relevant to your Chief of  
3 Staff responsibilities?

4 MR. WADE: Very little visibility.

5 MR. FOLIO: How, if at all, was it relevant to your  
6 work?

7 MR. WADE: How was Rosemont Seneca relevant to my work?

8 MR. FOLIO: Correct.

9 MR. WADE: The only--the only time I would ever in the  
10 course of my work where I would ever have any occasion to  
11 need to know anything about Rosemont Seneca would be if we  
12 got a media inquiry.

13 MR. FOLIO: Thank you, Mr. Wade.

14 I'm going to turn the questions back over to my  
15 colleague Scott Wittman.

16 MR. WITTMANN: Thank you. I'd like to go to a new  
17 document. We will enter it in as Exhibit 4. Zack and the  
18 minority, this is Bates 821, and Mr. Sauber and Mr. Wade,  
19 please let me know when you're ready.

20 [Wade Exhibit No. 4 was marked  
21 for identification.]

22 MR. SAUBER: So this is number 4, Scott?

23 MR. WITTMANN: Yes, sir. That's correct.

24 MR. SAUBER: Okay. I have it.

25 MR. WITTMANN: Okay. Mr. Wade, and Zack and the

1 minority, please let me know when you're ready.

2 MR. SCHRAM: Thank you, Scott. That's one that we  
3 have, by Bates number.

4 MR. WITTMANN: Okay, great. Mr. Wade, whenever you're  
5 ready.

6 MR. WADE: I'm ready. I've got it.

7 MR. WITTMANN: Great. On May 13, 2014, an individual  
8 forwarded you a press inquiry from the Wall Street Journal.  
9 The reporter noted that he is, quote, "working on a story  
10 with our Moscow bureau about Secretary Kerry's stepson,  
11 stepson's private equity from investing in a natural gas  
12 company in Ukraine with ties to former President  
13 Yanukovych."

14 MR. WADE: Yanukovych, yeah.

15 MR. WITTMANN: "Chris Heinz, stepson of Mr. Kerry, is  
16 the major private equity investor in Rosemont Seneca  
17 Partners, which has bought a stake in Burisma Holdings.  
18 Burisma has placed Devon Archer, the close friend and  
19 college roommate of Mr. Heinz, and Hunter Biden on its board  
20 of directors," end quote.

21 The reporter also mentioned Burisma's owner, Mr.  
22 Zlochevsky, by name, and he asked for comment from the State  
23 Department about, quote, "these apparent conflicting  
24 interests," end quote.

25 Did the State Department issue a response regarding

1 this reporter's assertion that there had appeared to be,  
2 quote, "conflicting interests," end quote, regarding Mr.  
3 Heinz's and Mr. Hunter Biden's business dealings?

4 MR. WADE: I remember that the Department had to  
5 address this line of questioning. I don't remember what the  
6 specific response was.

7 MR. WITTMANN: And as you can see in this particular  
8 inquiry, the owner of Burisma, Mr. Zlochevsky, is mentioned  
9 by name. When you received this email, could you please  
10 describe what your awareness of Mr. Zlochevsky was?

11 MR. WADE: I did not have visibility into Zlochevsky,  
12 and I--and just context-wise, I don't recall receiving this  
13 specific email, but I remember this specific line of  
14 questioning, if it was the line of questioning that the Wall  
15 Street Journal and others were asking about. I do not  
16 specifically remember what the Department's response was,  
17 but I believe that--and the part that I was involved in was  
18 being able to correct the record to reflect that Chris Heinz  
19 was not investing in this company.

20 MR. WITTMANN: We're going to move on to another  
21 exhibit. We are going to enter it in as Exhibit 5. This is  
22 Bates number 822 to 823.

23 [Wade Exhibit No. 5 was marked  
24 for identification.]

25 MR. WITTMANN: Mr. Sauber, it's the one that's labeled

1 number 5.

2 MR. SAUBER: Got it.

3 MR. WITTMANN: And if folks could just please let me  
4 know when they're ready.

5 MR. WADE: I'm ready.

6 MR. WITTMANN: Thank you, Mr. Wade.

7 MR. SCHRAM: Yes. Thanks, Scott.

8 MR. WITTMANN: Thank you, Zack.

9 On May 13, 2014, Mr. Wade, you wrote to Heather  
10 Higginbottom that you were, quote, "dealing with this Chris  
11 Heinz/Hunter Biden fiasco story," end quote. Could you tell  
12 us who Heather Higginbottom is, please?

13 MR. WADE: She was the Deputy Secretary of State for  
14 Management and Resources.

15 MR. WITTMANN: And what story were you specifically  
16 referring to, or were you referring to a specific story or a  
17 series of inquiries?

18 MR. WADE: I believe I was referring to a series of  
19 inquiries.

20 MR. WITTMANN: And was there a particular reason why  
21 you called it the "Chris Heinz/Hunter Biden fiasco story"?

22 MR. WADE: Yeah. I mean because the Journal was  
23 suggesting the Secretary's stepson was buying or investing  
24 in a natural gas company. That was how questions were  
25 coming at us, and I was trying to get ahold of the facts.

1 MR. WITTMANN: And what would make the Secretary's  
2 stepson buying a natural company, what would make inquiries  
3 about that a fiasco?

4 MR. WADE: It's pretty unusual that we got a whole lot  
5 of questions about his stepson's business. Suddenly we were  
6 getting several questions.

7 MR. WITTMANN: During your time as Chief of Staff, were  
8 there any other instances where you received press inquiries  
9 about Mr. Heinz's business at Rosemont Seneca?

10 MR. WADE: I don't remember. I don't think--there are  
11 none that come to mind. But I should add, it was around  
12 things like, you know, we occasionally got media inquiries  
13 about, you know, things like the Heinz soup company. We got  
14 questions that were totally extraneous, to Secretary Kerry  
15 or Senator Kerry, but that involved the family.

16 MR. WITTMANN: As you were dealing with this, handling  
17 these inquiries, did you or any of your colleagues seek  
18 input or guidance from the Vice President's office?

19 MR. WADE: I reached out to the Vice President's  
20 office, to his communications office, to find out--I assumed  
21 that they were getting similar questions, and I wanted to  
22 know what they knew, if they knew anything, and/or what they  
23 were saying.

24 MR. WITTMANN: And why did you assume that they were  
25 getting similar questions?

1 MR. WADE: Well, since the questions that we were  
2 getting mentioned--reporters were very specifically  
3 interested in Chris Heinz, but they mentioned that Hunter  
4 Biden was joining the board.

5 MR. WITTMANN: And were they receiving similar  
6 inquiries?

7 MR. WADE: I don't remember whether they were or not.  
8 I know that they--what I recall having a brief conversation  
9 that they were--that they didn't have visibility into it  
10 either.

11 MR. WITTMANN: And to be clear, they didn't have  
12 visibility into what?

13 MR. WADE: Into the subject of Hunter Biden joining the  
14 board of a company.

15 MR. WITTMANN: Did they have awareness of Mr. Heinz's  
16 role at Rosemont Seneca?

17 MR. WADE: We--I don't know why they would, but we  
18 didn't discuss that.

19 MR. WITTMANN: And when did this conversation occur?

20 MR. WADE: I don't know if it was that Tuesday or that  
21 Wednesday, but it was in this whole context of media  
22 inquiries.

23 MR. WITTMANN: And were there more than one--did you  
24 have more than one or only one?

25 MR. WADE: I believe only one.

1 MR. WITTMANN: Only one conversation.

2 MR. WADE: I believe so, yeah.

3 MR. WITTMANN: And what was the takeaway? Was there  
4 going to be--did you--was there discussion about how to  
5 respond to these inquiries, who was going to respond to  
6 these inquiries? Were any--was any decision made, or was  
7 this just sort of generally figuring out what they--whether  
8 or not they were receiving an inquiry?

9 MR. THOMAS: My apologies. This is Ken Thomas at the  
10 State Department. I believe that calls for a discussion of  
11 a presidential communication, because it is direct with the  
12 Office of the Vice President. And I have been instructed  
13 that this administration is not asserting that privilege, it  
14 is not waiving that privilege, and anything to do with those  
15 communications and the assertion or waiver of privileges  
16 needs to be referred to the prior administration.

17 MR. SAUBER: Okay. Well, let's--we will refer to them,  
18 get their guidance on it, and come back to you, Scott. But  
19 given that intervention why don't we move on.

20 MR. WITTMANN: Thank you. Do you know, Mr. Wade,  
21 whether or not--were the inquiries that the State Department  
22 receiving on this matter, were they all related to Mr.  
23 Heinz, or did the State Department receive any inquiries  
24 that were only about Mr. Biden, Mr. Hunter Biden's role, or  
25 did they all have some connection to Mr. Heinz?

1 MR. WADE: I believe they all had a connection to Mr.  
2 Heinz, but I--again, I mean, just--I'm--the one inquiry that  
3 I remember--and again, I was not personally talking to  
4 reporters, but I believe that based on what I was being  
5 asked everything was quite focused on Mr. Heinz.

6 MR. WITTMANN: And you mentioned that you weren't  
7 personally talking to reporters, but in this email you wrote  
8 that you were dealing with this story that was being  
9 generated. So could you--and earlier you described how you  
10 did have a conversation with Mr. Heinz. Could you describe  
11 anything else, any other steps or actions that you took to  
12 sort of manage these inquiries?

13 MR. WADE: Trying to gather the facts as they were  
14 relevant, and communicating with the Press Office.

15 MR. WITTMANN: And when you say "gather the facts,"  
16 could you expand on that? In what other ways were you  
17 gathering facts?

18 MR. WADE: Trying to confirm the reality about Mr.  
19 Heinz.

20 MR. WITTMANN: And what specifically does that mean,  
21 whether or not his business dealings?

22 MR. WADE: That bucket of specific questions that we  
23 were receiving, whether or not he or Rosemont Seneca was  
24 investing in a Ukrainian natural gas company.

25 MR. WITTMANN: And outside of the discussion that you

1 had with Mr. Heinz, were there any other steps that you took  
2 to confirm those facts?

3 MR. WADE: No.

4 MR. WITTMANN: Thank you.

5 We're going to move on and enter Exhibit 6 into the  
6 record. This is Bates number 4242 to 4243.

7 [Wade Exhibit No. 6 was marked  
8 for identification.]

9 MR. SCHRAM: Scott, on exhibits with Bates numbers, you  
10 can assume that we have them unless I say otherwise.

11 MR. WITTMANN: Thank you, Zack.

12 Mr. Sauber and Mr. Wade, have you had a chance to take  
13 a look?

14 MR. WADE: Yep.

15 MR. SAUBER: Yes.

16 MR. WITTMANN: Thank you.

17 On May 13, 2014, Jonathan Finer emailed you, Mr. Wade,  
18 an article published in the National Journal, titled, quote,  
19 "Another Biden has waded into the Ukraine crisis," end  
20 quote. The article stated that Hunter Biden, quote, "has  
21 been appointed head of legal affairs at Burisma Holdings,"  
22 end quote. The article also noted that, quote, "Archer  
23 served as a senior advisor to John Kerry during his 2004  
24 presidential campaign," end quote. The article also  
25 mentions that, quote, "Burisma is turning to U.S. talent and

1 money and name recognition for protection against Russia.  
2 It also gibes with the Obama administration message that his  
3 father has been tasked with spreading," end quote.

4 Mr. Wade, you discussed earlier that you learned,  
5 around this period of time, information about Burisma and  
6 Hunter Biden's connection to Burisma. When you received  
7 this article, did you have any reaction or did you engage in  
8 any discussions with other individuals or officials at the  
9 State Department about Hunter Biden's role at Burisma?

10 MR. WADE: So I don't recall receiving this article.  
11 That's not uncommon. I mean, we literally received probably  
12 hundreds of news clips a day, and it was not uncommon for  
13 someone to forward one.

14 No, I do not recall any conversations that I was a part  
15 of with respect to Burisma after the initial news stories  
16 were clarified with respect to Chris Heinz.

17 MR. WITTMANN: Okay. But you--but at this time you  
18 had--this was the first time that you learned about that  
19 connection. Correct?

20 MR. WADE: About which connection?

21 MR. WITTMANN: About the connection of Mr. Hunter Biden  
22 and also Mr. Devon Archer, related to their roles in  
23 Burisma's company.

24 MR. WADE: I believe so, yeah. Yeah, I learned about  
25 it through the media inquiries.

1 MR. WITTMANN: And what was your reaction to hearing  
2 this news about Hunter Biden joining the board, and also Mr.  
3 Devon Archer joining the board as well?

4 MR. WADE: I don't recall having a particular reaction.  
5 I mean, I don't--I do not remember a whole lot of discussion  
6 about it.

7 MR. WITTMANN: You knew Mr. Archer when you worked for  
8 Secretary Kerry in the Senate?

9 MR. WADE: I knew him a little bit. I do not and never  
10 did know Devon well.

11 MR. WITTMANN: And what about Hunter Biden? Did you  
12 know him at all?

13 MR. WADE: Yes. Yeah, no, I knew--I know Hunter and I  
14 knew Hunter.

15 MR. WITTMANN: Understand. And what was your  
16 understanding of his role at Burisma?

17 MR. SAUBER: As of May 14th?

18 MR. WITTMANN: As during your time as Chief of Staff to  
19 Secretary Kerry.

20 MR. WADE: I only knew what I read in the news.

21 MR. WITTMANN: Did you ever discuss with Hunter Biden  
22 his role on Burisma's board?

23 MR. WADE: When I was Chief of Staff in the Department?

24 MR. WITTMANN: Yes.

25 MR. WADE: No, I did not.

1 MR. WITTMANN: Afterwards?

2 MR. WADE: I don't know if I spoke about it with  
3 Hunter. It's possible. I don't know.

4 MR. WITTMANN: And what would you have discussed with  
5 him?

6 MR. WADE: I don't know if--I don't--again, I think it  
7 only would have been in the context of news about him. But  
8 I certainly did not when I was Chief of Staff in the  
9 Department.

10 MR. WITTMANN: Do you think the fact that Hunter  
11 Biden's father was Vice President, and separately Mr. Archer  
12 had previously worked for Secretary Kerry, had any influence  
13 on Burisma's decision to hire those individuals?

14 MR. WADE: I don't--I would be speculating entirely.

15 MR. WITTMANN: But given your role as Chief of Staff,  
16 you know, the top advisor to Secretary Kerry, trusted  
17 advisor, would you have advised him in terms of whether or  
18 not those individuals' connections to high-level officials  
19 in the U.S. Government would have any influence on a company  
20 like Burisma hiring those individuals?

21 MR. WADE: We didn't have a discussion about that.

22 MR. DOWNEY: Mr. Wade, my name is Brian Downey with  
23 Chairman Johnson's office. Hi, Mr. Wade. My name is Brian  
24 Downey with Chairman Johnson's office. Picking up a little  
25 bit on what Mr. Wittmann was asking you about, when did

1 Devon Archer join Burisma's board?

2 MR. WADE: When did he? When did Devon Archer join  
3 Burisma's board?

4 MR. DOWNEY: Correct.

5 MR. WADE: I don't specifically know. I assume it  
6 somehow is--I assume at that time--the timing had to do with  
7 the news stories about it. But I don't--the short answer is  
8 that I don't know.

9 MR. DOWNEY: Do you know if Devon Archer ever visited  
10 the Vice President's office in April of 2014?

11 MR. WADE: I don't know.

12 MR. DOWNEY: Did the Vice President's office, when you  
13 were liaising with them, responding to press articles in May  
14 of 2014 regarding Chris Heinz potentially being part of  
15 Burisma, did they disclose to you that Devon Archer visited  
16 the Vice President's office in April of 2014?

17 MR. WADE: No. As I said, they didn't--the  
18 communications office didn't know anything about the story.  
19 They were getting the same questions that we were.

20 MR. DOWNEY: Well, this will be, I believe, Exhibit 7.  
21 It is Bates number 733.

22 [Wade Exhibit No. 7 was marked  
23 for identification.]

24 MR. DOWNEY: Zack, let me--I think you've told Scott  
25 that you know which document we're talking about if we give

1 you the Bates number. Is that correct?

2 MR. SCHRAM: Correct. Thank you.

3 MR. DOWNEY: Thank you.

4 Mr. Wade and Mr. Sauber, let me know when you're ready  
5 to proceed.

6 MR. SAUBER: I have it. Thank you.

7 MR. WADE: I'm good. I have 7 here.

8 MR. DOWNEY: On May 16, 2014, you received several  
9 links to news reports published on Wednesday, May 14, 2014,  
10 regarding Hunter Biden's role on Burisma's board. You  
11 responded to David Thorne saying that "it made not for a fun  
12 day on Wednesday. It wasn't good."

13 MR. WADE: Yeah.

14 MR. DOWNEY: So my first question, do you remember this  
15 email chain?

16 MR. WADE: No.

17 MR. DOWNEY: Who is David Thorne?

18 MR. WADE: He is a senior advisor to the Department.  
19 He worked on economic issues, primarily, economic diplomacy.

20 MR. DOWNEY: Can you explain why Mr. Thorne would be  
21 potentially interested in this issue or wanted to give you  
22 a, quote, "heads up" as his email says?

23 MR. WADE: Again, I don't recall this email chain at  
24 all, but if I was speculating, it's because David saw--David  
25 himself received a press clip from his office. It was

1 obviously not a positive story. And he was in the habit of  
2 forwarding things to me.

3 MR. DOWNEY: Why wasn't it a, quote--what wasn't good  
4 about that day?

5 MR. WADE: What was not good about it was that in a job  
6 that typically--that consumed every minute of every day, we  
7 got a whole lot of press questions about something that I  
8 did not have answers to.

9 MR. DOWNEY: And why did you not have answers to those  
10 press questions on May 14, 2014?

11 MR. WADE: Because I did not have visibility into what  
12 anybody's arrangement was with Burisma.

13 MR. DOWNEY: When would you say you did get a greater  
14 understanding of these individuals standing with Burisma?

15 MR. WADE: Which--again, I don't know if it was Tuesday  
16 night or--whether it was Tuesday or Wednesday, but at some  
17 point, as we were dealing with those stories, I was able to  
18 confirm that the Journal's questions and their assertions  
19 were inaccurate, were not correct about Chris Heinz.  
20 Somewhere in that space I got that confirmation, and then  
21 State Department was--you know, our sort of press's interest  
22 in us was then greatly reduced.

23 MR. DOWNEY: So Mr. Thorne responded to your comment on  
24 May 16, 2014, saying, quote, "I sent it to JK on Wednesday  
25 but forgot to include you." What was sent to JK?

1 MR. WADE: I believe he's referring to this article or  
2 this news clip, news clip digest that he forwarded.

3 MR. DOWNEY: Who is JK?

4 MR. WADE: He's referring to Secretary Kerry.

5 MR. DOWNEY: Did you speak to Mr. Thorne in greater  
6 detail after this email exchange with him, about Mr. Kerry's  
7 reaction to Mr. Thorne emailing him this clip of articles?

8 MR. WADE: No, not that I recall, and I can't imagine I  
9 would have.

10 MR. DOWNEY: Do you recall if Mr. Thorne had an opinion  
11 about these articles from May 14, 2014?

12 MR. WADE: I don't recall him having an opinion, and I--  
13 -you know, I spoke to David Thorne a lot in the context of  
14 my job at staff, and I--you know, there's no memory of that  
15 that jumps out at me.

16 MR. DOWNEY: So Mr. Thorne never, separately from this  
17 May 2014 email chain, raised concerns to you about Hunter  
18 Biden joining Burisma's board in May of 2014?

19 MR. WADE: Not--not that I recall, no. I've spent a  
20 lot of time with David Thorne on other issues, Egypt  
21 especially which he was quite involved in. I don't recall  
22 any--any conversations whatsoever about this.

23 MR. DOWNEY: We're going to go to Exhibit 8, I believe.

24 MR. WADE: Okay.

25 MR. DOWNEY: And it's Bates No. 271 to 273.

1 [Wade Exhibit No. 8 marked for  
2 identification.]

3 [Pause.]

4 MR. SAUBER: Okay. I have it.

5 MR. WADE: I got it.

6 MR. DOWNEY: This is a May 14th, 2014, email or press  
7 clipping, it looks like, internally to the State Department.  
8 It is a Washington Post article with the title "Hunter  
9 Biden's New Job at a Ukrainian Gas Company Is a Problem for  
10 U.S. Soft Power."

11 MR. WADE: Mm-hmm.

12 MR. DOWNEY: After you received these--the State  
13 Department press clippings on May 14th, 2014, you forwarded  
14 the article to Jonathan Finer and Jennifer Psaki-

15 MR. WADE: Yep.

16 MR. DOWNEY: --with the note, quote, "tough column."

17 MR. WADE: Yes.

18 MR. DOWNEY: Why did you describe this article as,  
19 quote, a "tough column"?

20 MR. WADE: I don't recall this exact column. It's six  
21 years ago, but after it was shown to me, I mean, I--it's not  
22 a--it's not a positive story.

23 MR. DOWNEY: What do you think is not positive about  
24 it?

25 MR. WADE: Well, I mean, just--just looking at the

1 headline, right? It's suggesting something is a problem.  
2 It includes criticism from Members of Congress--or a Member  
3 of Congress. It's just not a positive piece.

4 MR. DOWNEY: So on Bates stamp 272, which is the second  
5 page of the exhibit--

6 MR. WADE: Uh-huh.

7 MR. DOWNEY: --the article states, quote, "The  
8 appointment of the Vice President's son to a Ukrainian oil  
9 board looks nepotistic at best, nefarious at worst." It's  
10 the third-to-the-bottom paragraph, Mr. Wade.

11 MR. WADE: Yep.

12 MR. DOWNEY: Do you agree with that analysis, or did  
13 you agree with that analysis when you first read this  
14 article and said it was a tough column?

15 MR. WADE: Do I agree--do I agree with the analysis of  
16 the column?

17 MR. DOWNEY: Do you agree with the one sentence that  
18 said, quote, "The appointment of the Vice President's son to  
19 the Ukrainian oil board looks nepotistic at best, nefarious  
20 at worst"?

21 MR. WADE: I--I don't know. I--

22 MR. SAUBER: You're--let me just say--you're asking him  
23 sitting here today, does he agree with that statement? Is  
24 that the question?

25 MR. DOWNEY: The question is when he forwarded the

1 article in May of 2014 and wrote "tough column" to two of  
2 his State Department colleagues, I'm assuming he read the  
3 article, sent it to his two colleagues, and I'm trying to  
4 understand at the time that he sent it in 2014, does he  
5 agree with that analysis that the appointment of the Vice  
6 President's son to a Ukrainian oil board looks nepotistic at  
7 best, nefarious at worst?

8 MR. SAUBER: But he's already told you he doesn't  
9 remember sending it or reading the article. So it would be-  
10 -I mean, he can answer for himself, but it would be quite  
11 astonishing if he didn't remember this incident but  
12 remembered what he thought about it. So I'm just trying to  
13 clarify exactly when you want him to give you what his  
14 viewpoint is. So maybe you could clear that up.

15 Do you have a recollection, Mr. Wade, of what your  
16 reaction was back in 2014?

17 MR. WADE: My overall reaction in 2014 was that having-  
18 -having--my experience had been that Hunter Biden had never-  
19 -he never weighed in on an issue of U.S. policy. So I was  
20 not concerned in general about the substance of any of these  
21 stories. I forwarded it because I didn't like--I don't like  
22 negative stories.

23 MR. DOWNEY: You didn't like negative stories about the  
24 Vice President or Hunter Biden?

25 MR. WADE: I don't like negative stories about State

1 Department, Secretary Kerry, Vice President Biden, anybody.  
2 I mean, it is obviously not a positive story. I think  
3 that's all I was expressing to my colleague.

4 MR. DOWNEY: So reviewing this article now, would you  
5 agree that, quote, "The appointment of the Vice President's  
6 son to a Ukrainian oil board looks nepotistic at best,  
7 nefarious at worst"?

8 MR. WADE: I--

9 MR. DOWNEY: Those are tough words. No?

10 MR. WADE: Sure, those are tough words. I also--I also  
11 take--you know, I also take pretty seriously the words of  
12 people like Melanie Sloan from CREW in that piece who have a  
13 different perspective, but again, this is not a story that  
14 I've spent a whole lot of time on.

15 MR. DOWNEY: So the article also stated, quote, "It's  
16 unclear why exactly Hunter Biden was hired by Burisma." At  
17 the time, was it clear to you in May of 2014 why Burisma  
18 hired Hunter Biden?

19 MR. WADE: The only window I had to why Burisma hired  
20 Hunter Biden was through the lens of news reports. That  
21 seemed to indicate that he would be working on corporate--I  
22 think actually to one of the other exhibits you shared, I  
23 think it's corporate--corporate governance or corporate  
24 transparency, something like that. That was the only  
25 visibility that I had into it.

1 MR. DOWNEY: You mentioned earlier that Victoria Nuland  
2 was one of the State Department's main advisors on Ukraine  
3 and U.S. policy, correct?

4 MR. WADE: Yeah. Assistant Secretary Nuland. Yep.

5 MR. DOWNEY: When you were Chief of Staff to Secretary  
6 Kerry, Victoria Nuland raised concerns to you about Hunter  
7 Biden joining Burisma's board.

8 MR. WADE: I don't recall Assistant Secretary Nuland  
9 raising concerns to me. Are you saying that she did, or are  
10 you asking--I'm not--

11 MR. DOWNEY: I'm asking if Victoria Nuland raised  
12 concerns about Hunter Biden joining Burisma's board.

13 MR. WADE: Not that I recall, whatsoever, no.

14 MR. DOWNEY: As your time as Chief of Staff for  
15 Secretary Kerry, would those type of concerns be raised to  
16 your level if they were to be shared?

17 MR. WADE: Not--I mean, it is possible. I mean,  
18 certainly, the State Department's legal office interacted  
19 with me quite a bit about issues like recusals and things  
20 like that. My door was always open to our Assistant  
21 Secretaries and Under Secretaries. I was--and, obviously,  
22 as Chief of Staff, I was on paper flow for, you know,  
23 thousands of members, but I don't ever recall this issue  
24 being raised by anyone with me.

25 MR. DOWNEY: So in May of 2014, obviously, there's this

1 slew of articles about Hunter Biden joining Burisma's board  
2 in May of 2014?

3 MR. WADE: Right.

4 MR. DOWNEY: You reached out to the Vice President  
5 Biden's office for guidance on these press inquiries,  
6 correct?

7 MR. WADE: I wanted to find out what they were saying,  
8 since I had presumed we were getting very similar questions.

9 MR. DOWNEY: There wasn't anyone within State  
10 Department or the embassy in Kyiv seeking any guidance on  
11 these press inquiries?

12 MR. WADE: I believe that the only people I interacted  
13 with that I recall being a part of that conversation was the  
14 press office, and I definitely do not remember hearing  
15 anything--I think I would remember. I don't recall hearing  
16 anything from Geoff or the embassy.

17 MR. DOWNEY: Did you--in our time as Chief of Staff,  
18 did you ever hear from Deputy Chief of Missions at embassies  
19 around the world about inquiries they were getting from  
20 American press or foreign press that they wanted to get the  
21 Secretary's input on or make sure that he was aware of, so  
22 they would email you or notify you?

23 MR. WADE: Typically, it wouldn't be a Deputy Chief of  
24 Mission. It would be the Chief of Mission that I would hear  
25 from if there was an issue. Usually, the DCM wouldn't do

1 anything that wasn't through their--through the ambassador.

2 MR. DOWNEY: How much did you know about the leadership  
3 of the U.S. embassy in Kyiv during your time as Chief of  
4 Staff at the State Department?

5 MR. WADE: I knew Geoff.

6 MR. DOWNEY: who is Geoff?

7 MR. WADE: Geoff Pyatt when he was ambassador.  
8 Particularly during the time of the uprisings and the  
9 protests and the revolution, we interacted a lot with  
10 Ambassador Pyatt and the embassy to make sure that they were  
11 getting the support that they needed to make sure the  
12 security issues were satisfied particularly about safety and  
13 as being--as the protests were succeeding and taking out  
14 Yankovich and getting him to flee, that we were--you know,  
15 that they were receiving whatever support they needed from  
16 me and State.

17 MR. DOWNEY: So as your time as Chief of Staff at the  
18 State Department, how much did you communicate with  
19 Ambassador Pyatt?

20 MR. WADE: Not often. It was, you know, more  
21 typically--again, particularly around uprisings. Around the  
22 protests in Maidan and around the fall of the Yankovich  
23 government, there were a lot of conference calls. There  
24 were a lot of--you know, there were a lot of discussions  
25 involved, people who were not just in the era, and that

1 obviously and directly implicated--directly involved  
2 Secretary's office.

3 MR. DOWNEY: So between May of 2014 and when you left  
4 as Chief of Staff at the State Department, which I believe  
5 was May of 2015--I might have misspoke--April 2014 to May of  
6 2015, did Ambassador Pyatt ever raise concerns about Hunter  
7 Biden joining Burisma's board with you?

8 MR. WADE: Not that I recall, and I think I would--I  
9 believe I would remember that.

10 MR. DOWNEY: During that same time period of May 2014  
11 until--let's just say May 2015, do you know if Ambassador  
12 Pyatt raised concerns about Hunter Biden joining Burisma's  
13 board with Secretary Kerry?

14 MR. WADE: Not that I know of, and again, I think I  
15 would know.

16 MR. DOWNEY: As you said, you have spent a lot of--or  
17 sometime because of the events on the ground in Ukraine  
18 during 2014, 2015, did you ever meet or communicate with  
19 George Kent?

20 MR. WADE: I don't believe so. It is very possible  
21 that, you know, we could have been in a large meeting  
22 together, but no. I do not--I do not recall ever  
23 interacting with George Kent.

24 MR. DOWNEY: Could you tell us what George Kent's role  
25 was in the May 2014 to May 2015 time period?

1 MR. WADE: I--I'm reaching back. I thought he was a  
2 DAS, but I do not--I don't specifically recall, no.

3 Typically, with ENR, if I was involved, I was dealing  
4 directly with Assistant Secretary Nuland or--again, for  
5 example, when, as I said, when the protests in Maidan were  
6 happening and the action was very much in Kyiv, not at Main  
7 State, you know, Ambassador Pyatt would be a part of the  
8 discussion that I was a part of. I do not--I don't remember  
9 ever interacting with George Kent.

10 MR. DOWNEY: Understood. I think we're close to our  
11 time. I'll check with Joe real quick. I guess we've got  
12 about three minutes left on this hour, Mr. Wade.

13 MR. WADE: Okay.

14 MR. DOWNEY: So, as you've laid out, it appears that--  
15 I'd rather have you tell us how it is since you were there.  
16 The European Desk would flow information to Victoria Nuland  
17 and then up to you, is that correct, on sort of your  
18 Ukrainian Affairs? Is that how the State Department worked  
19 in 2014, 2015?

20 MR. WADE: Basically, yeah. I mean, if something was  
21 going to come up to me, typically it came via Victoria.  
22 Correct.

23 I mean, it's a--like I'm sure all of you know this as  
24 well as I do. It's pretty--there's a very structured  
25 hierarchical way of information technique flows up this--you

1 know, this size of the organization.

2 MR. DOWNEY: As we started this interview off with the  
3 Washington Examiner article about Vice President Biden  
4 becoming the public face of Ukraine-U.S. policy, from your  
5 position as Chief of Staff to Secretary Kerry in 2014, 2015,  
6 do you--who was Vice President Biden's top staffer on  
7 Ukraine-U.S. policy issues?

8 MR. WADE: At the time, he had two foreign policy  
9 staffers that were, you know, sort of--I believe--you know,  
10 again, I'm sure I will mangle their titles, but essentially  
11 a foreign policy advisor and a deputy foreign policy  
12 advisor. I don't know who else for him was involved in  
13 Ukraine policy.

14 MR. DOWNEY: What are the names of those two  
15 individuals?

16 MR. WADE: Colin Kahl, who I did not interact with, and  
17 then Jeff Prescott, who was the deputy. And I--I don't--I  
18 am quite confident that I never interacted with the Vice  
19 President's office on Ukraine policy at all.

20 MR. DOWNEY: And those two individuals you named, that  
21 was between May of 2014 and May of 2015 while you were the  
22 Chief of Staff at the State Department?

23 MR. WADE: I believe so.

24 MR. DOWNEY: One last question, and then we'll take a  
25 break. I think we discussed a planned meeting with the

1 National Security Council. Can you recall from your time  
2 from May of 2014 until May of 2015 who the State Department  
3 would interact with on Ukraine affairs from the NSC?

4 MR. WADE: I mean, again, I don't--I don't remember who  
5 Victoria Nuland's counterpart was at that time. You know,  
6 it would have been the--you know, her equivalent person. I  
7 mean, again, the Department--if the Department were sending  
8 someone at the--you know, for a PC or a DC, you know, that  
9 would typically be either the Secretary or--Secretary,  
10 Assistant Secretary, that range of people.

11 MR. DOWNEY: So--

12 MR. WADE: I mean, just to be specific, I mean, I  
13 typically worked with my Department, my State Department  
14 colleagues. I did not have typically policy interaction  
15 with NSC counterparts.

16 MR. DOWNEY: Understood.

17 We're going to take a five-minute break, if that's okay  
18 with everyone.

19 MR. WADE: Yep.

20 MR. SAUBER: David, do you need a five-minute break?

21 MR. WADE: Happy to take one or not take one, whatever  
22 is good for everybody.

23 MR. SAUBER: Do you guys want to forge ahead if David  
24 is okay?

25 MR. DOWNEY: That would be up to Mr. Schram. He's the

1 supervisor.

2 MR. SCHRAM: I defer to the witness.

3 MR. WADE: I'm fine to keep going, whatever is good.

4 MR. SCHRAM: Sure. We'll be brief.

5 Mr. Wade, was the policy advocated by the Vice  
6 President with respect to Ukraine a policy of the United  
7 States Government?

8 MR. WADE: Yes.

9 MR. SCHRAM: And was that policy in the United States  
10 national interest?

11 MR. WADE: Yes.

12 MR. SCHRAM: Was it a policy that the Secretary agreed  
13 with and also advanced?

14 MR. WADE: Yes.

15 MR. SCHRAM: Do you have a view of the consequences of  
16 promoting the false narrative that the policy of the United  
17 States in the Ukraine during the Obama administration was  
18 one borne of corruption as opposed to the true narrative  
19 that it was that advanced international interests?

20 MR. WADE: It's unhelpful, and it is--it is an  
21 unhelpful attempt to rewrite history.

22 MR. SCHRAM: That's all from us.

23 MR. SAUBER: Okay. How much more, Joe, do you think  
24 the Majority has?

25 MR. DOWNEY: Mr. Sauber, we should have probably maybe

1 15 to 20 minutes on this next round, and then we can  
2 reassess where we're at, if that's okay.

3 MR. SAUBER: That's fine.

4 David, with 15 or 20 minutes, do you want to just plow  
5 through it, or do you want to take a break?

6 MR. WADE: Why don't we--could we just take a quick  
7 two-minute break?

8 MR. SAUBER: Yeah.

9 MR. DOWNEY: That works for us. It's 4:01, and we're  
10 off the record.

11 MR. SAUBER: Good. Okay.

12 MR. WADE: All right. Thank you.

13 [Recess.]

14 MR. DOWNEY: Okay. It is 4:09 p.m., and we'll go back  
15 on the record. And we'll start off this period with Exhibit  
16 9, if Will could put that up on the screen.

17 [Wade Exhibit No. 9 was marked  
18 for identification.]

19 MR. DOWNEY: Zack, this is a Time article from July 7,  
20 2014.

21 MR. SCHRAM: I take it it is not Bates stamped, not in  
22 the production.

23 MR. DOWNEY: You are correct.

24 MR. SCHRAM: Okay. Just a moment.

25 [Pause.]

1 MR. SCHRAM: Okay. All set. Thank you.

2 MR. DOWNEY: So Mr. Wade, this another article  
3 published in Time by Michael Scherer, published on July 7,  
4 2014, titled "Ukrainian employee of Joe Biden's son hires a  
5 D.C. lobbyist."

6 MR. WADE: Yup.

7 MR. DOWNEY: The article also discusses Hunter Biden's  
8 role on the board of Burisma, and reported on David Leiter  
9 joining Burisma as a lobbyist.

10 MR. WADE: Mm-hmm.

11 MR. DOWNEY: So this article was published in July of  
12 2014. Did you read this article at the time of its  
13 publishing date?

14 MR. WADE: I don't believe so. It does not ring a  
15 bell.

16 MR. DOWNEY: Do you know who David Leiter is?

17 MR. WADE: I do. I know David Leiter.

18 MR. DOWNEY: Who is David Leiter?

19 MR. WADE: He was--he is an energy lobbyist in  
20 Washington. He was many, many, many years ago, I think back  
21 in the 1990s, he was Chief of Staff for Senator Kerry. And  
22 then I believe he went on to become Chief of Staff in the  
23 Department of Energy, and I believe ever since he has been  
24 primarily an energy lobbyist.

25 MR. DOWNEY: The article describes Mr. Leiter as

1 reportedly signing on to work as a lobbyist for Burisma on  
2 May 20, 2014, about a week after Hunter Biden announced he  
3 was joining the company.

4 MR. WADE: Mm-hmm.

5 MR. DOWNEY: In May of 2014, did you know that Mr.  
6 Leiter had agreed to work on behalf of Burisma?

7 MR. WADE: I don't believe so. I never--and I don't  
8 recall ever hearing from David Leiter with respect to his  
9 work for Burisma.

10 MR. DOWNEY: Besides this article, did you know that  
11 Mr. Leiter had lobbied on behalf of Burisma?

12 MR. WADE: Only from news reports, and again, I don't  
13 remember seeing this story at the time. I've seen, you  
14 know, a couple of years when Burisma has been in the news,  
15 I've read that David was a lobbyist for Burisma.

16 MR. DOWNEY: In May of 2014, was Secretary Kerry aware  
17 of Mr. Leiter's work on behalf of Burisma?

18 MR. WADE: I would be shocked if he was.

19 MR. DOWNEY: But Mr. Leiter was the former Senate Chief  
20 of Staff to Secretary Kerry. Correct?

21 MR. WADE: Yes, but the Secretary of State typically  
22 does not, you know, be aware that we would hear from  
23 lobbyists.

24 MR. DOWNEY: This Time article states that, quote,  
25 "Recently released documents show that Hunter Biden's hiring

1 coincided with the launch of a new effort to lobby Members  
2 of Congress about the role of the company Burisma in Ukraine  
3 and the country's quest for energy independence," unquote.

4 Mr. Wade, at the time that this article was written in  
5 July 2014, to what extent were you aware of Burisma's effort  
6 to lobby Members of Congress?

7 MR. WADE: I was not.

8 MR. DOWNEY: The article describes an effort by a group  
9 of Senators to increase U.S. Government assistance in  
10 Ukraine to improve its energy efficiency and reform its  
11 energy [inaudible--audio difficulties].

12 MR. WADE: Sorry, Brian. You cut out there for five  
13 or six seconds. You were muffled.

14 MR. DOWNEY: This Time article described an effort by  
15 Democratic Senators to increase U.S. Government assistance  
16 in Ukraine to improve Ukraine's energy efficiency and reform  
17 its energy markets. The Time article links to a June 27,  
18 2014, letter from Senator Markey, Senator Wyden, Senator  
19 Shaheen, and Senator Murphy, which we will post on the share  
20 drive as Exhibit 10.

21 [Wade Exhibit No. 10 was  
22 marked for identification.]

23 MR. DOWNEY: Will, can you post that, Exhibit 10,  
24 please? Thank you.

25 [Pause.]

1 MR. DOWNEY: So on the screen is the June 27, 2014,  
2 letter that is discussed in the July 7, 2014, Time article.  
3 This letter is to President Obama and signed by Senators  
4 Markey, Wyden, Shaheen, and Murphy.

5 Mr. Wade, do you need some more time to review this  
6 letter?

7 MR. WADE: I'm looking at it again. Okay.

8 MR. DOWNEY: The articles notes that Burisma, quote,  
9 "trumpeted," end quote, the efforts of these Senators, and  
10 the article included a quote from Burisma's website stating,  
11 quote, "Burisma Holdings today applauded the range of U.S.  
12 legislative support for developing Ukraine's broad and  
13 untapped resources and an increase in transparency and good  
14 governance." The article noted that the statement was made  
15 on the same day the Senators' letter was released. Further,  
16 the Senators' staff told Time that they did not have contact  
17 with Mr. Leiter during the drafting of this June 27, 2014,  
18 letter.

19 Mr. Wade, were you aware of the Senators' June 27,  
20 2014, letter to President Obama?

21 MR. WADE: Not that I recall. I mean, candidly,  
22 there's--there's a lot of letters to the President from the  
23 Hill, and I do not recall this one.

24 MR. DOWNEY: You know, I will note that it was  
25 addressed to President Obama, and Secretary Kerry was not

1 cc'd nor anyone else in the State Department.

2 MR. WADE: Gotcha.

3 MR. DOWNEY: Would this type of request that was  
4 addressed to the President get filtered from the White House  
5 to State Department, though? I know you just mentioned  
6 there's a lot of letters that go from Congress to the  
7 President. But this one that is so rich in detail about  
8 Ukraine, would this be sent to your attention as a courtesy,  
9 or how would that work?

10 MR. WADE: It depends. Often if the White House  
11 received a letter--the White House does not always respond  
12 to letters. They sometimes send them to relevant agencies,  
13 you know, in which case it would go to the Department, to  
14 the Bureau of Legislative Affairs for the State Department.  
15 And as Chief of Staff, the Department were asked to respond  
16 to a letter I might see that response when it came up to the  
17 Secretary of State. But, you know, but the White House  
18 could also take it upon themselves to be the responding  
19 agency.

20 MR. DOWNEY: Were you aware of Burisma's statement  
21 regarding support of this U.S. legislative efforts from June  
22 of 2014?

23 MR. WADE: No. That does not ring a bell.

24 MR. DOWNEY: Thank you, Mr. Wade. I'm going to turn  
25 the questioning over to Mr. Wittmann.

1 MR. WITTMANN: Thank you, Brian. Just working out our  
2 microphone issues. I think we're all good. Can you hear  
3 me?

4 MR. WADE: Yeah.

5 MR. WITTMANN: Great. I'd like to enter into the  
6 record our next exhibit, Exhibit 11.

7 [Wade Exhibit No.11 was marked  
8 for identification.]

9 MR. WADE: And can I just ask a practical question?  
10 Does that mean I can safely put to the side the other  
11 exhibits, or are we kind of going kind of chronologically?

12 MR. WITTMANN: We were going chronologically. This is  
13 one that we are not going to do in order.

14 MR. WADE: Okay.

15 MR. WITTMANN: This is a news article that I believe  
16 Mr. Folio just sent to everyone.

17 MR. SAUBER: Hold on. Exhibit 11--

18 MR. WITTMANN: This is a--sorry. We're entering it in  
19 as Exhibit 11, but it is not in--it is a public document.  
20 It is a news article that Mr. Folio just sent.

21 MR. SAUBER: Okay. So you sent us Exhibit 11, so what  
22 exactly is the number of this one?

23 MR. WITTMANN: Sure. This--for the record it's Exhibit  
24 11. In your email, Mr. Sauber, I believe the PDF is labeled  
25 as 13.

1 MR. SAUBER: Oh, you mean--we have not received this.  
2 Is that right?

3 MR. WITTMANN: Correct.

4 MR. SAUBER: Okay. And just exactly what is the basis  
5 on which you're introducing a new exhibit that we haven't  
6 seen before, when I was told that I would get all the  
7 exhibits ahead of time?

8 [Pause.]

9 MR. SAUBER: Joe, are you there?

10 MR. FOLIO: Sorry. I'm trying to adjust my microphone  
11 here.

12 MR. SAUBER: Okay.

13 MR. FOLIO: Can you hear me?

14 MR. SAUBER: I can now, yes.

15 MR. FOLIO: So we sent you all the exhibits that we  
16 anticipated using, I think based on some of the responses  
17 that we received during the course of the interview. We  
18 wanted to introduce this public news article, which we sent  
19 you, and we're happy to give you time for you and Mr. Wade  
20 to read it, to address the follow-on issue of Mr. Heinz's  
21 decision to separate from the firm Rosemont Seneca.

22 MR. SAUBER: Do you see the article, David?

23 MR. FOLIO: I didn't have Mr. Wade's email so you will  
24 have to forward that to him. I couldn't readily find it,  
25 but it's on the screen and Will is able to scroll and let

1 him read it.

2 MR. SAUBER: Well, I'm going to--I don't know if we're  
3 going to agree to answer questions about something that we  
4 weren't told about, but let me send it to David. Let me  
5 read it myself. David, I'm sending you, if you can hear me,  
6 I'm sending you, forwarding you what Joe just sent me, which  
7 is this article from--what is the date of it--2019 or  
8 something?

9 MR. FOLIO: Correct. It's dated September 29, 2019.  
10 It's referring to a statement by Christopher Heinz in 2014.

11 MR. SAUBER: Okay. David, did you receive it from me?

12 MR. WADE: Not yet, but I'll keep hitting refresh until  
13 it comes.

14 MR. SAUBER: Okay. I guess we can blame the Postal  
15 Service on the majority, but not the internet.

16 [Pause.]

17 MR. SAUBER: Have you got it, David?

18 MR. WADE: Not yet.

19 MR. SAUBER: I'm sorry. Or you can read it on the  
20 screen.

21 MR. WADE: Yeah, if we can scroll down I can try to  
22 read it on the screen. Okay. Keep scrolling. Let me see.  
23 Can you go up just a little bit? Okay.

24 MR. SAUBER: Are you--you've read it then?

25 MR. WADE: Yeah. I mean, I've skimmed it here quickly.

1 MR. SAUBER: Okay. All right.

2 Joe, subject to our screaming and hollering in the  
3 middle of this or later, go ahead.

4 MR. FOLIO: I'll turn it back over to Scott. Thank  
5 you.

6 MR. SAUBER: Okay.

7 MR. WITTMANN: So the question that we have is going to  
8 relate to the paragraph that begins with, "Chris Heinz ended  
9 his business relationship when Biden, in 2014, took a  
10 position on the board of Burisma Holdings."

11 MR. WADE: Mm-hmm.

12 MR. WITTMANN: Do you see that paragraph, Mr. Wade?

13 MR. WADE: Yes.

14 MR. WITTMANN: Were you--during your time as Chief of  
15 Staff to Secretary Kerry, were you aware of Mr. Heinz ending  
16 his business relationship with Mr. Archer and Mr. Hunter  
17 Biden?

18 MR. WADE: No, I was not.

19 MR. WITTMANN: Okay. I want to go down just a few  
20 paragraphs to the quote from Mr. Heinz's spokesperson, and  
21 the quote begins, "The lack of judgment in this matter was a  
22 major catalyst for Mr. Heinz ending his business  
23 relationships with Mr. Archer and Mr. Biden," end quote.

24 Mr. Wade, do you agree with the statement from Mr.  
25 Heinz's spokesperson that Mr. Archer and Mr. Hunter Biden

1 lacked judgement in joining Burisma's board?

2 MR. SAUBER: Hold on. You've got to be kidding me.  
3 You're going to ask him about a quote from Mr. Heinz, who is  
4 giving his own--I'm sorry, from Chris Bastardi. So we don't  
5 know, reading this, what kind of or what type of lack of  
6 judgment is being referred to here. So with all due  
7 respect, I would leave out any reference to this article.  
8 If you have a direct question to ask him about his view, go  
9 ahead. I mean--

10 MR. WITTMANN: Thank you, Mr. Sauber. Mr. Wade, did  
11 you have any personal view when you learned, or reaction to  
12 learning about Mr. Archer and Mr. Hunter Biden joining  
13 Burisma's board?

14 MR. WADE: Did I? No. I didn't. I mean, I generally--  
15 -I thought it was a private business matter that was their  
16 decision. My focus was the State Department.

17 MR. WITTMANN: When you were made aware of the private  
18 business matter, did you have any kind of reaction to them  
19 joining this particular company?

20 MR. WADE: No. I mean, again, my concern were the  
21 questions that I was getting, which were about Christopher  
22 Heinz investing in or buying this company. That's what I  
23 was focused on.

24 MR. WITTMANN: Okay. Those are the only questions we  
25 have about this article.

1 I'm going to--I'm going to turn it back over to Mr.  
2 Downey.

3 MR. DOWNEY: Mr. Wade.

4 MR. SAUBER: Hey Brian, can you take this down, the  
5 exhibit, unless you're going to ask--okay, good. Thanks.

6 MR. DOWNEY: Do you know Hunter Biden, Mr. Wade?

7 MR. WADE: I do.

8 MR. DOWNEY: How long have you known Hunter Biden?

9 MR. WADE: I believe the first time I met Hunter was in  
10 2008.

11 MR. DOWNEY: Would you describe your relationship as  
12 professional, or--

13 MR. WADE: We have not been in touch in several years.  
14 I believe that the last time I saw Hunter was shortly after  
15 his brother died. I saw him at the wake and then I saw him  
16 shortly, yeah, I think a couple of months after [inaudible].  
17 Tough period for him. But no, I have not been in touch  
18 since, but I--you know, but I got to know him in 2008, I  
19 liked him, considered him a friend.

20 MR. DOWNEY: We are going to enter into the record, I  
21 believe this is Exhibit 12, and this Bates number, from the  
22 State Department, 10787.

23 [Wade Exhibit No. 12 was  
24 marked for identification.]

25 MR. SAUBER: I have this as 11. Oh, you--all right.

1 So you're pushing these out. So this 11, what was sent to  
2 me, but now it's 12 because we introduced a new exhibit. Is  
3 that the deal, Brian?

4 MR. DOWNEY: That is correct.

5 MR. SAUBER: Okay. Thank you.

6 MR. DOWNEY: So this is an October 17, 2014, email from  
7 Mr. Wade to Hunter Biden at Hunter Biden's Rosemont Seneca  
8 email account. The subject is, "Hey" and the body of the  
9 email reads, "Hunter, just wanted to say you are a really  
10 good guy with a lot of fans who have worked with you, and  
11 obviously a really great family. This too will pass. Keep  
12 the faith. David."

13 MR. WADE: Mm-hmm.

14 MR. DOWNEY: Why did you sent this email to Hunter in  
15 October of 2014?

16 MR. WADE: There had been news reports that his service  
17 in the Navy had ended after he did not pass a drug test.  
18 And I remember thinking that, number one, I knew Hunter had  
19 worked really hard with his sobriety and that that must have  
20 been an incredibly difficult thing to happen, and much  
21 harder to have it happen in public, for all the world to see  
22 and to write about. Then I knew he was going through a hard  
23 time. His brother was very ill, and I wanted to reach out  
24 as a friend.

25 MR. DOWNEY: How often did you correspond with Hunter

1 Biden during the time that you were Chief of Staff for  
2 Secretary Kerry?

3 MR. WADE: Not often. A couple of times. And I also--  
4 and I don't recall Hunter replying to this email.

5 MR. DOWNEY: So those couple of times that you  
6 communicated with Hunter Biden when you were Chief of Staff  
7 at the State Department, outside of this communication which  
8 you explained to us, what were those other communications  
9 involving?

10 MR. WADE: Two that I recall, I recall him, when I  
11 first got to the State Department, reaching out to see if we  
12 would--if Heather Higginbottom and I would meet with the  
13 board of the U.S. Global Leadership Coalition, which  
14 supports the State Department's budget, and supports  
15 investment in diplomacy and development. And I recall--I  
16 don't think it was an email. I think he called me at some  
17 other point, with respect to whether Secretary Kerry could  
18 meet with his students from Georgetown University. Hunter  
19 was teaching.

20 MR. DOWNEY: Hunter was teaching at Georgetown in 2014?

21 MR. WADE: I don't remember if it was 2013 or 2014, but  
22 I recall that.

23 MR. DOWNEY: And Hunter requested Secretary Kerry to  
24 address his class?

25 MR. WADE: Yeah, whether he would be able to talk to

1 his students.

2 MR. DOWNEY: So how would you describe your  
3 relationship between Hunter Biden, Devon Archer, and Mr.  
4 Heinz? Do you know Hunter Biden better than the other two?

5 MR. WADE: My relationship with the three of them? I  
6 knew Chris the longest. I spent the most time, you know,  
7 with Hunter in 2008, because he traveled from time to time  
8 with the Obama-Biden campaign. And Devon I do not know  
9 well, and I don't--I don't think I've ever had a  
10 conversation with Devon that was more than pleasantry.

11 MR. DOWNEY: In your discussions with Hunter Biden,  
12 during your time as Chief of Staff, so 2014 to 2015, Mr.  
13 Wade, did you ever offer advice or thoughts on Hunter Biden  
14 joining Burisma's board with him?

15 MR. WADE: No. Never.

16 MR. DOWNEY: Why not?

17 MR. WADE: We were never in touch on that, and Hunter  
18 never would have asked me for business advice, and I  
19 wouldn't have offered it. Not my place.

20 MR. DOWNEY: If Hunter Biden had brought up Burisma  
21 with you, as your time as Chief of Staff at the State  
22 Department, would you believe that would be appropriate for  
23 you to opine on or answer his questions?

24 MR. WADE: Nobody--I don't ever recall being in a  
25 position like that with anyone as Chief of Staff, and I

1 think if I had been asked something like that I probably  
2 would have--I probably would have asked someone whether it  
3 was--whether that was something that the Department, you  
4 know, offers guidance on or not.

5 MR. DOWNEY: Okay. Well, it's 4:41, and I believe,  
6 looking at Mr. Wittmann, that we are done on our side for  
7 questioning. And I guess I need to ask Mr. Schram and  
8 Senator Wyden's office if they have any more questions for  
9 Mr. Wade.

10 MR. SCHRAM: Can we--it's 4:41 now. Can we take five  
11 and I'll answer that question at 4:46?

12 MR. DOWNEY: We're okay with that on the majority side,  
13 if the witness is okay.

14 MR. SAUBER: Dave, you're okay to take a five-minute  
15 break?

16 MR. WADE: Great.

17 MR. SAUBER: Zack, just out of clarity here, if you  
18 come back and say you have another hour of questioning,  
19 we're going to object. So just FYI.

20 MR. SCHRAM: I don't think I'm at an hour cumulative,  
21 so you should be good.

22 MR. DOWNEY: It's 4:41 and we're taking a five-minute  
23 break. We're off the record.

24 MR. SAUBER: Thank you.

25 [Recess.]

1 MR. BERICK: If you could remind me which exhibit the  
2 Markey, Wyden, Shaheen, Murphy letter is?

3 MR. DOWNEY: We're checking that. I thought it was  
4 Exhibit 11, but it's 10.

5 MR. BERICK: It's all been moved around, so--

6 MR. DOWNEY: It's Exhibit 10, Mr. Berick.

7 MR. BERICK: Okay. Thanks.

8 So, Mr. Wade, I just want to briefly ask you some very  
9 short questions related to this letter. So this letter is  
10 dated June of 2014. At the time, isn't it the case that  
11 Ukraine was threatened with separatist violence and economic  
12 instability and Russian aggression?

13 MR. WADE: Yes, enormously so.

14 MR. BERICK: Isn't it also true that in June of 2014,  
15 Ukraine was, in fact, dangerously reliant on Russian energy  
16 supplies, and that Gazprom did, at one point, in 2014, cut  
17 off those supplies to Ukraine?

18 MR. WADE: Yes.

19 MR. BERICK: And isn't it the case that during both the  
20 Obama and in the Trump administrations increasing Ukraine's  
21 independence and energy and less reliance upon Russia has  
22 been U.S. Government policy?

23 MR. WADE: Yeah, consistently so for a long, long time.

24 MR. BERICK: Thank you very much. No further  
25 questions.

1 MR. SAUBER: Okay.

2 MR. DOWNEY: Mr. Wade--sorry, Mr. Sauber. Just some  
3 closing remarks and then we can all sign off.

4 Mr. Wade, thank you for your time today. Thank you for  
5 your service. Transcripts will be made, and as we've done  
6 with the other witnesses, I don't have all the magic  
7 language, Zack, but you will be afforded the ability to  
8 review it with your counsel along with the minority and  
9 majority review of it as well.

10 Zack, do you have anything else for closing?

11 MR. SCHRAM: No. Thank you, Brian.

12 MR. DOWNEY: All right. Mr. Wade, Mr. Sauber, thank  
13 you for your time today, and wish you all the best.

14 MR. SAUBER: Thanks very much, and thanks for your  
15 courtesies all around, and please tell Joe that we  
16 appreciated his courtesies, and we'll see you November 3rd,  
17 or something like that. I don't know.

18 All right. Thanks again.

19 MR. DOWNEY: Okay. Bye-bye.

20 [Whereupon, a 4:51 p.m., the interview was concluded.]

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# Joe Biden emerges as Obama's trusty sidekick

by Susan Crabtree | April 25, 2014 12:00 AM

Vice President Joe Biden has become the public face of the administration's handling of Ukraine, working to reassure Kiev and trying to talk tough with Russia.

During a whirlwind two-day visit to Ukraine, Biden met with the country's leaders and announced an additional \$50 million in aid. At a press conference, he delivered a lecture to Russian President Vladimir Putin, telling him to "stop talking and start acting" to defuse the crisis.

With no diplomatic end in sight, it's a high-stakes role for a vice president whose foreign policy chops were publicly mocked by former Defense Secretary Robert Gates, who wrote in a memoir published in January that Biden was "wrong on nearly every major foreign policy and national security issue over the past four decades."

Any missteps or another Russian land grab could prove fatal to Biden's political ambitions as he weighs a 2016 presidential bid. Critics say it will be hard for the vice president, a former chairman of the Senate Foreign Relations Committee, to separate himself from the administration's policy on Ukraine.

After his trip, late-night comics took aim at the vice president's tendency to run at the mouth and make gaffes, joking that Putin — and everyone else — had long stopped listening to Biden.

Republican lawmakers were also unimpressed by his calls for the Kremlin to stop backing Russian separatists.

"Or else what?" asked Sen. John McCain, painting the vice president as the front man for an administration unwilling to take tough action against Russia.

Indeed, after Biden left Ukraine, it seemed that nothing had changed. Tensions with Moscow remain high, and Russian militants show no signs of backing down in eastern Ukraine.

But Biden's raising of the American flag in Kiev wasn't without benefit for President Obama, who was able to carry on with a week-long trip to Asia. And Biden's public diplomacy revealed Obama's new trust in his No. 2.

"So Biden talks a lot -- so what?" said James Goldgeier, dean of American University's School of International Service and a veteran of the Clinton White House's national security team. "The vice president has been extremely valuable to Obama --he's done everything the president

could have asked for and more.”

The relationship between Obama and Biden is on the upswing following their 2012 low when the undisciplined -- but authentic -- vice president publicly supported [gay marriage](#) before the White House was ready to make the leap. Biden so angered the president's team that they reportedly froze him out of key meetings.

Since then, Obama has often turned to Biden to help in foreign policy binds — even if the assist only involves dispatching him to hot spots to repeat the administration's line.

Despite giving his vice president a chance to raise his foreign policy credentials, Obama has stayed neutral about Biden's political future.

“He has been, as I said earlier, a great partner in everything that I do,” Obama said, as he sat next to Biden in an interview.

“I suspect that there may be other potential candidates for 2016 who have been great friends and allies,” he added -- an awkward reference to former Secretary of State [Hillary Clinton](#), who vastly outpolls other Democrats and whose presumed candidacy has frozen Biden in place.

At the same time, Clinton has political vulnerabilities. Her own foreign policy record is under scrutiny, especially now that her much-touted “reset” with Russia is in tatters. Clinton's “what difference does it make” remark during the [Benghazi](#) hearings cemented Republican views that the administration mishandled the terror attack that killed four Americans.

Still, Obama's relationship with Biden appears to be on the mend, possibly out of sheer necessity or long-term loyalty. The president has shown a new warmth in their relationship, posing for a selfie with Biden and joking that the two were on a “guys' trip” when they visited [Pennsylvania](#).

Biden for his part has expressed comfort with acting publicly on Obama's behalf even as the president's poll numbers droop and his policies face tough criticism.

“There is nothing I would do differently,” Biden said about carrying out his job as he weighs future plans.

Many insiders believe Biden is keeping his name in the presidential mix because it's better to keep people guessing than declare the end of his long career while still in office. But Biden has made it clear he'll enjoy the ride while it lasts.

**From:**Blinken, Antony J  
**Sent:**Mon, 2 Feb 2015 22:18:04 +0000  
**To:**Blinken, Antony J  
**Subject:**S Prep for PC on Ukraine

04:15 PM -  
04:30 PM

Prep for PC on Ukraine / Blinken, Nuland,  
Finer, Wade (S Ofc)

**From:** Chris Heinz <[REDACTED]>  
**Sent:** Tuesday, May 13, 2014 5:54 PM  
**To:** Summers, Matt <SummersMR@state.gov>; Wade, David E <WadeDE@state.gov>  
**Subject:** Ukraine

---

RELEASE IN PART B6

B6

Apparently Devon and Hunter both joined the board of Burisma and a press release went out today. I cant to speak why they decided to, but there was no investment by our firm in their company.

**From:** [REDACTED] (S)  
**Sent:** Tue, 13 May 2014 17:19:55 -0400  
**To:** Wade, David E  
**Subject:** FW: Secretary's stepson investing in Ukraine gas company

Adding you since Jen in with you.

---

**From:** Grimaldi, James [mailto:James.Grimaldi@wsj.com]  
**Sent:** Tuesday, May 13, 2014 4:15 PM  
**To:** [REDACTED] (S); Psaki, Jennifer R  
**Subject:** Secretary's stepson investing in Ukraine gas company

Jen and [REDACTED],

I'm working on a story with our Moscow bureau about Secretary Kerry's stepson's private equity firm investing in a natural gas company in Ukraine with ties to former President Yanukovich.

Chris Heinz, stepson of Mr. Kerry, is the major private equity investor in Rosemont Seneca Partners, which has bought a stake in Burisma Holdings. Burisma has placed Devon Archer, the close friend and college room-mate of Mr. Heinz, and Hunter Biden on its board of directors.

<http://burisma.com/hunter-biden-joins-the-team-of-burisma-holdings/>

Nikolai Zlochevsky, former natural resources minister and deputy security and defense council secretary under ex-President Yanukovich, was previously and is still believed to be an owner.

Seeking comment about these apparent conflicting interests.

James V. Grimaldi  
Senior Writer

**THE WALL STREET JOURNAL.**

O: (202) 862-6665

M: [REDACTED]

<https://www.facebook.com/wpjamesvgrimaldi>

@jamesvgrimaldi

**From:**Higginbottom, Heather A  
**Sent:**Tue, 13 May 2014 22:28:33 +0000  
**To:**Wade, David E  
**Subject:**RE: Final QDDR Email

I don't know what that is

Go home

---

**From:** Wade, David E  
**Sent:** Tuesday, May 13, 2014 6:28 PM  
**To:** Higginbottom, Heather A  
**Subject:** RE: Final QDDR Email

Trying soon – dealing with this chris Heinz/hunter biden fiasco story

---

**From:** Higginbottom, Heather A  
**Sent:** Tuesday, May 13, 2014 6:27 PM  
**To:** Wade, David E  
**Subject:** RE: Final QDDR Email

Apt description

Are you going home now? it's 6:30

---

**From:** Wade, David E  
**Sent:** Tuesday, May 13, 2014 6:23 PM  
**To:** Higginbottom, Heather A  
**Subject:** RE: Final QDDR Email

Ha. Even a blind squirrel....

---

**From:** Higginbottom, Heather A  
**Sent:** Tuesday, May 13, 2014 6:23 PM  
**To:** Wade, David E  
**Subject:** FW: Final QDDR Email

☺

---

**From:** [REDACTED]  
**Sent:** Tuesday, May 13, 2014 6:09 PM  
**To:** Higginbottom, Heather A  
**Subject:** RE: Final QDDR Email

David is good at this.

---

**From:** Higginbottom, Heather A  
**Sent:** Tuesday, May 13, 2014 10:09 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Final QDDR Email

As reviewed (rewritten) by David. After Andy took a hand at re-writing and vastly improved the original draft to make it more JK like.

Kent – do you want to do a once over and then we have the greenlight to get this out today? I think where it says “hoisted” it should say “foisted” but please see if you agree.

In terms of process, Wade says John Bass can get this out for us.

**From:**Finer, Jonathan J  
**Sent:**Tue, 13 May 2014 18:38:15 +0000  
**To:**Wade, David E [REDACTED]

<http://www.nationaljournal.com/white-house/another-biden-has-waded-into-the-ukraine-crisis-20140513>

**WHITE HOUSE**

# Another Biden Has Waded Into the Ukraine Crisis

The vice president's son has taken a new role in the country's energy industry.

- [Email](#)



By [Marina Koren](#)

May 13, 2014

- [Follow on Twitter](#)

Joe Biden has been the White House's go-to guy during the Ukraine crisis, touring former Soviet republics and reassuring their concerned leaders. And now, he's not the only Biden involved in the region.

The vice president's youngest son, Hunter Biden, has been appointed head of legal affairs at Burisma Holdings, Ukraine's largest private gas producer, *The Moscow Times* [reported](#) Tuesday. Hunter described his new role [in a statement](#) on the company's website:

As a new member of the board, I believe that my assistance in consulting the company on matters of transparency, corporate governance and responsibility, international expansion, and other priorities will contribute to the economy and benefit the people of Ukraine.

The new gig joins several others on Hunter's extensive resume. He currently serves as as managing partner at the Washington-based investment advisory company **Rosemont Seneca Partners** and counsel at the New York City-based law firm Boies Schiller Flexner. He is also an adjunct professor at Georgetown University's Foreign Service graduate program.

---

According to *Bloomberg Businessweek*, Burisma was [founded](#) in 2006 and "engages in oil-well drilling, production of liquefied natural gas, and undertaking geological studies." It is based in Cyprus. It [owns](#) several oil and gas companies in Ukraine, including in the southeastern city of Dnepropetrovsk.

Burisma hired another American—and another managing partner of Rosemont Seneca Partners—just last month. Devon Archer joined the company's board of directors to "focus on the interaction with current investors, as well as involving new investors from the United States," according to an April 22 [press release](#) from the company. Archer served as a senior adviser to John Kerry during his 2004 presidential campaign.

"Today Burisma Holdings reminds me of Exxon Mobil in its wake," Archer [said in a recent interview](#) posted on the company's website. "It has all the chances to be one of the biggest privately owned oil companies in the world."

Archer's work focuses [heavily](#) on energy independence for Ukraine, a topic that has received much attention in recent months. Ukraine is dependent on Russia for energy exports, and Moscow has pulled discount agreements during its ongoing standoff with Kiev. The addition of Hunter to the company masthead suggests Burisma is turning to U.S. talent—and money and name recognition—for protection against Russia. It also jibes with the Obama administration message that his father has been tasked with spreading.

It's unclear whether the entry of another Biden into the fray was meant to send a message to Moscow. But Russian President Vladimir Putin, eternally leery of American hands in eastern European business, is bound to notice.

**From:** Thorne, David H  
**Sent:** Fri, 16 May 2014 20:52:30 +0000  
**To:** Wade, David E  
**Subject:** RE: Ukraine/Biden/Kerry - in case you missed it

I sent it to JK on Weds but forgot to include you...

---

**From:** Wade, David E  
**Sent:** Friday, May 16, 2014 4:38 PM  
**To:** Thorne, David H  
**Subject:** RE: Ukraine/Biden/Kerry - in case you missed it

Thanks – it made for a not fun day on Wednesday! Wasn't good.

---

**From:** Thorne, David H  
**Sent:** Friday, May 16, 2014 4:29 PM  
**To:** Wade, David E  
**Subject:** FW: Ukraine/Biden/Kerry - in case you missed it

Just a heads up...

---

**From:** [REDACTED]  
**Sent:** Wednesday, May 14, 2014 12:38 PM  
**To:** Thorne, David H  
**Cc:** [REDACTED]  
**Subject:** Ukraine/Biden/Kerry - in case you missed it

***Biden's Son Joins Gas Firm In Ukraine.*** The [AP](#) (5/14) reports Vice President Biden's son, Hunter, is joining the board of the a gas company operating in Ukraine. Biden will head Burisma Holdings' legal unit and "seek support for Burisma among international organizations."

The [Washington Times](#) (5/14, Chasmar, 455K) reports White House Press Secretary Jay Carney said Hunter Biden's new position "does not reflect an endorsement by the administration," and [Reuters](#) (5/14, Rampton) reports Vice President Biden's spokeswoman, Kendra Barkoff, said he "does not endorse any particular company and has no involvement" with Burisma.

The [Wall Street Journal](#) (5/14, Sonne, Grimaldi, Subscription Publication, 5.51M) reports Hunter Biden is a close friend of Secretary Kerry's stepson, Christopher Heinz. The Journal notes the hiring comes a few weeks after Devon Archer, a college roommate of Heinz's, joined the company's board.

[REDACTED]  
*Office of the Senior Advisor to the Secretary (S/SRA)*  
202-485-1548

**From:**Wade, David E  
**Sent:**Wed, 14 May 2014 21:43:44 -0400  
**To:**Psaki, Jennifer R;Finer, Jonathan J  
**Subject:**Fw: WP - Hunter Biden's new job at a Ukrainian gas company is a problem for U.S. soft power

[Tough column](#)

---

**From:** PA Clips [REDACTED]  
**Sent:** Wednesday, May 14, 2014 09:34 PM  
**To:** PA-Monitoring-Group-DL  
**Subject:** WP - Hunter Biden's new job at a Ukrainian gas company is a problem for U.S. soft power

Hunter Biden's new job at a Ukrainian gas company is a problem for U.S. soft power  
Washington Post  
By Adam Taylor Updated: May 14 at 5:46 pm

Around the world, there is a major perception that U.S. foreign policy is dictated by a thirst for oil and gas. For example, a 2002 Pew Research poll found that 75 percent of French respondents felt that the United States-led invasion of Iraq was a simple ruse to gain control of Iraqi oil. And that isn't just what the "cheese-eating surrender monkeys" think either: Establishment figures in the United States such as Sen. John McCain and former Federal Reserve chairman Alan Greenspan have both made statements that suggest they buy into it, too.

Such a perception is probably an oversimplification, but there is clearly some truth to the idea. And whether it is true or not, perceptions clearly matter when it comes to international relations.

Think about that when you read the announcement that Vice President Biden's son, Hunter Biden, has accepted a position on the board at Ukraine's largest private gas firm. According to a news release posted Tuesday, the vice president's son would join the board of Burisma Holdings. The Yale-educated lawyer would be in charge of the company's legal unit, the release said.

Here's a small selection of the responses to the news, which ranged from the incredulous to the resigned:

Robert Coalson @CoalsonR

Follow

Biden's son takes job a Ukraine gas firm. Boy, that looks really bad. What are they thinking"?

<http://bit.ly/RCzEE0>

1:56 PM - 13 May 2014

Olga Kuzmina @OlgaKuzminaDC

Follow

Joe Biden's son is now head of legal affairs at Ukraine's largest gas company. Speechless!

<http://www.themoscowtimes.com/business/article/son-of-us-vice-president-biden-joins-ukraine-gas-company/500062.html> ...

12:37 PM - 13 May 2014

Cong. Tim Huelskamp ✓ @CongHuelskamp

Follow

Obama White House for sale or rent. Biden's son to head Ukrainian gas company. #Nefarious

<http://goo.gl/ZZ7W1U>

1:20 PM - 14 May 2014

While the general public appeared nonplussed, the official response has been muted. "Hunter Biden is a private citizen and a lawyer," White House spokesperson Kendra Barkoff told The Post. "The vice president does not endorse any particular company and has no involvement with this company."

Meanwhile, an ethics watchdog argued that it probably wasn't that big of a deal. "It can't be that because your dad is the vice president, you can't do anything," Melanie Sloan, executive director of Citizens for Responsibility and Ethics in Washington, told Reuters.

It's true that there are no rules against Hunter Biden taking this position. And it's (fairly) safe to assume that his appointment was not part of a broader, U.S.-led plot to oust Moscow-backed Ukrainian president Viktor Yanukovich and steal all of Ukraine's gas. However, whatever the practical reality of this posting, its symbolic nature makes it look very bad.

For one thing, while Burisma is clearly trying to portray itself (perhaps genuinely) as an open, Western company, its ownership is more than a little murky. A 2012 investigation from Forbes Ukraine noted that registration documents from Ukraine and Cyprus indicated that Nikolay Zlochevsky, a former government minister and representative of Yanukovich's Party of Regions, was in control of the company. There was speculation from Ukrainian energy analysts that Biden's appointment may have been an attempt to avoid sanctions by other, bigger Yanukovich allies.

It's also unclear why, exactly, Biden was hired: At Yahoo News, Olivier Knox and Meredith Shiner have speculated that the fact that so much of Burisma's permits are in Ukraine's troubled Dnieper-Donets Basin may play a role.

Then there's the broader problem: The appointment of the vice president's son to a Ukrainian oil board looks nepotistic at best, nefarious at worst. No matter how qualified Biden is, it ties into the idea that U.S. foreign policy is self-interested, and that's a narrative Vladimir Putin has pushed during Ukraine's crisis with references to Iraq and Libya. It clashes with the U.S. narrative that this is all about international law and human rights.

To be fair, Hunter Biden isn't the only person linked to politics on the board of Burisma: The Wall Street Journal reports that Devon Archer, the college roommate of John Kerry's stepson, has also joined, and on Wednesday, Ukrainian media reported that former Polish president Aleksander Kwasniewski would also join the board. It's an impressive crowd.

And Biden is certainly not the first politically-linked person to get a dubiously high-paying job on a board. As Mikhail Korchemkin of East European Gas Analysis pointed out to me, more than a few children of Russian politicians have ended up in executive positions in companies at the top of the Forbes 500 list, and China's "princelings" have a similar habit. Bringing big names in has obvious political advantages for companies and other rewards for the names – just ask Gerhard Schröder, the former chancellor of Germany, who sits on the board of the Nord Stream and catches flack for hugging Vladimir

Putin, or Dominique Strauss Kahn, now on the board at a subsidiary of Rosneft, the Russian state oil giant where former secretary of state Donald L. Evans once turned down a role.

Still, you have to wonder how big the salary has to be to put U.S. soft power at risk like this. Pretty big, we'd imagine.

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## Ukrainian Employer of Joe Biden's Son Hires a D.C. Lobbyist



Hunter Biden waits for the start of the his father's, Vice President Joe

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Martinez Monsivais—AP



### Manafort's Sentence May Clean Up Shady Lobbying

BY MICHAEL SCHERER

JULY 7, 2014 10:39 PM EDT

**W**hen Vice President Joe Biden's son, R. Hunter Biden, joined the board of a private Ukrainian oil and natural gas company this spring, he explained his new job as a legal one, disconnected from any effort to influence the Obama Administration. In a [press release](#), the younger Biden boasted of his abilities on issues like improving corporate transparency.

But the company, Burisma Holdings, did not disclose at the time the scope of their plans for influencing the U.S. government. Recently released documents show that Biden's hiring coincided with the launch of a new effort to lobby members of Congress about the role of the company in Ukraine and the country's quest for energy independence.

David Leiter, a former Senate chief of staff to Secretary of State John Kerry, signed on to work as a lobbyist for Burisma on May 20, 2014, about a week after Biden announced he was joining the company, according to lobbying disclosures filed this month.

Leiter's involvement in the firm rounds out a power-packed team of politically-connected Americans that also includes a second new board member, Devon Archer, a Democratic bundler and former adviser to John Kerry's 2004 presidential campaign. Both Archer and Hunter Biden have worked as business partners with Kerry's son-in-law, Christopher Heinz, the founding partner of Rosemont Capital, a private-equity company.

Biden's office referred questions to a Burisma spokesman, who says Biden has not been involved in contacting members of Congress or the Obama Administration about the company. "His role, like all board members, is to provide strategic guidance to Burisma," said Lawrence Pacheco, who works in Washington D.C. for FTI Consulting, a communications firm that is also employed by Burisma.

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Burisma is contacting officials in Washington through Leiter's lobbying firm, ML Strategies. [Manafort's Sentence May Clean Up Shady Lobbying](#)

"ML Strategies is working with Burisma to educate U.S. officials about the company and its role in creating a stable and secure energy future for Ukraine, not any specific policy or legislation," Pacheco said.

“Burisma supports energy independence, economic growth, national sovereignty and regional stability and will engage as needed to encourage efforts to further these goals.”

Some Democratic senators, meanwhile, have been working to secure more U.S. funding, either directly or through entities like the Export-Import Bank, to improve Ukraine’s domestic energy production potential. On June 27, Sen. Edward Markey of Massachusetts, **wrote President Obama a letter** with three other Democratic senators calling for increased aid. “We should leverage the full resources and expertise of the U.S. government to assist Ukraine in improving its energy efficiency, increasing its domestic production, and reforming its energy markets,” wrote Markey, who has also proposed legislation with about \$40 million in additional aide for Ukrainian energy development.

Markey’s letter was trumpeted by Burisma Holdings as a **commendable move** towards securing the future security of Ukraine. “Burisma Holdings today applauded the range of U.S. legislative support for development of Ukraine’s broad and untapped resources and an increase in transparency and good governance,” the company said in a statement on the day the letter was released.

An aide in Markey’s office told TIME that Leiter, Biden and Archer were not part of discussions that led to the drafting of the letter or the legislation. Staff for the other senators who signed the letter, Ron Wyden of Oregon, Jeanne Shaheen of New Hampshire and Christopher Murphy of Connecticut, also said they did not have contact with Leiter, who could not be reached for comment.

Burisma Holdings is owned by a Cypriot holding firm, Brociti Investments Limited, which is controlled Nikolai Zlochevskyi, a former Ukrainian government minister, according to Cypriot records. It controls government development licenses in three regions of Ukraine, and sells to industrial

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**Manafort's Sentence May Clean Up Shady Lobbying**

By taking a job with Burisma, the younger Biden has put himself in the middle of a struggle between the United States and Russia, which currently provides

the bulk of the natural gas supplies to Ukraine. Both the White House and European nations have recently emphasized the strategic interest in making Ukraine less dependent on Russia.

Since Hunter Biden took the new job, his father, Vice President Joe Biden, has continued to serve as the Obama Administration's point person on Ukraine, traveling to the country as recently as June for the inauguration of President Petro Poroshenko and talking to Poroshenko by phone at least five times in the last month.

"I've spent a considerable amount of time in the last two months in Ukraine," the elder Biden said on June 19. "You see what the Russians are doing relative to using gas as a foreign policy tool to try to alter behavior. And so it's — around the world in varying degrees it's of significant consequence in terms of security, both economic and political security of a nation."

There is no legal barrier to prohibit Hunter Biden from working with a company that can be impacted by the policy decisions of his father, and the White House has maintained that the Vice President has not been influenced by his son's employment. "The Vice President does not endorse any particular company and has no involvement with this company," said his spokeswoman Kendra Barkoff.

But Hunter Biden's new job, along with the association with Burisma of other politically-connected businessmen, has raised concerns among some Ukraine watchers. "It's unhelpful when we are trying to get across to the Ukrainians to clean up corruption and special deals for special folks," said Ed Chow, a senior fellow at the Center for Strategic and International Studies, a U.S. think tank. "It maybe sends the wrong message that Westerners are just hypocritical."

*Additional reporting by Alex Rogers and Zeke Miller/Washington*

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**Manafort's Sentence May Clean Up Shady Lobbying**

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**Manafort's Sentence May Clean Up Shady Lobbying**



# United States Senate

WASHINGTON, DC 20510

June 27, 2014

The President  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President:

Ukraine's successful presidential election on May 25 demonstrated the resolve and fortitude of the Ukrainian people, and offered reason to be hopeful that a strong, stable, and democratic Ukraine will emerge from Russia's assault on its sovereignty. We commend Vice President Biden for attending President Poroshenko's inauguration in Kiev on June 7, and we welcome his announcement of additional U.S. assistance to Ukraine.

As President Poroshenko takes office, we must work closely with Ukraine to confront the urgent challenges posed by separatist violence and economic instability, while also addressing Ukraine's dangerous reliance on Russian energy supplies. Ukrainian and Russian officials have been in gridlocked negotiations over trade in natural gas since March, when Russian state-controlled oil giant Gazprom raised the price of natural gas to Ukraine by 80 percent and threatened to cut off supplies. Last week, Gazprom followed through on those threats and cut off natural gas supplies to Ukraine, heightening energy security concerns in Ukraine and across Europe. Nothing could transform Ukraine's strategic position in the region more fundamentally than major advancements in energy independence. Toward that end, we urge you to make energy efficiency measures, and the development of Ukraine's domestic energy resources, centerpieces of your early engagements with the new leadership.

Ukraine is the second-least energy efficient country in the world. According to the International Energy Agency, if Ukraine were only as energy efficient as the average country in Europe, Ukraine could reduce natural gas consumption by more than 50 percent, essentially eliminating its dependence on natural gas imports from Russia. Ukrainians are asking for this type of support. In April, a coalition of 35 Ukrainian mayors sent a letter urgently requesting assistance in increasing the energy efficiency of their buildings, district heating systems, and transportation networks in order to reduce dependence on imports of natural gas from Russia.

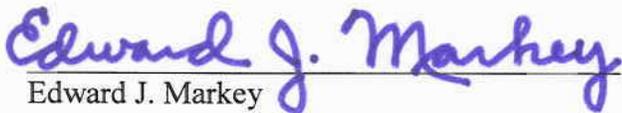
At the same time, Ukraine has massive untapped natural gas deposits of its own – their shale gas resources are the third-largest in Europe – and domestic production has the potential to double over the next decade.

The \$17 billion loan package approved by the International Monetary Fund to help stabilize the economy of Ukraine requires reforms of energy markets in Ukraine and elimination

of energy subsidies, which currently make up eight percent of the country's gross domestic product. Eliminating these subsidies will raise retail natural gas rates by 56 percent in 2014, 40 percent in 2015, and 20 percent in 2016 and 2017. While these reforms are critical to rooting out corruption and increasing market transparency, they have the potential to undermine support for the new government if not coupled with aggressive measures to help Ukrainian households cope with these higher energy costs. A focused effort on improving energy efficiency has the potential to provide broad-based economic benefits that might not be provided otherwise without a substantial expansion of the country's social safety net.

We should leverage the full resources and expertise of the U.S. government to assist Ukraine in improving its energy efficiency, increasing its domestic production, and reforming its energy markets. The United States is well-positioned to lead an international coalition to help Ukraine accelerate its progress on this agenda. The State Department, USAID, the Overseas Private Investment Corporation, the Export-Import Bank, and the U.S. Trade and Development Agency all have relevant technical expertise and financing tools that can be brought to bear on the problem. We look forward to working with your Administration to ensure we are using every tool at our disposal to address this important challenge.

Sincerely,



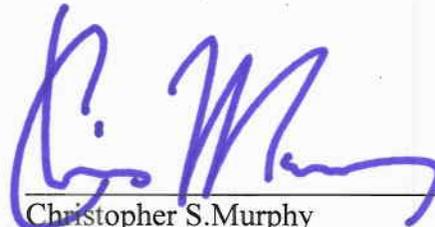
Edward J. Markey  
United States Senator



Ron Wyden  
United States Senator



Jeanne Shaheen  
United States Senator



Christopher S. Murphy  
United States Senator



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NEWS

# Hunter Biden had falling out with business partner over Ukraine gig

By Mark Moore

September 29, 2019 | 2:16pm



Hunter Biden (left) and Chris Heinz  
Getty Images

Hunter Biden's decision to join the board of gas company owned by a Ukrainian oligarch led to a falling out with his investment firm partner – the stepson of former Secretary of State John Kerry, according to a report on Sunday.





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Hunter Biden served on the Burisma board from 2014 to 2018.

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|

**From:**Wade, David E  
**Sent:**Fri, 17 Oct 2014 20:54:12 +0000  
**To:**Hunter Biden (hbiden@rosemontseneca.com)  
**Subject:**hey

Hunter: just wanted to say, you're a really good guy with a lot of fans who have worked with you, and obviously a really great family -- this too will pass.  
Keep the faith,  
David

## Unified Wade Transcript Errata

- HSGAC Majority

Page	Line	Correction
18	10	Strike “funning” and replace with “running”
49	21	Strike “her” and replace with “the”
36	5	Strike “I” replace with “In”
59	13	Strike “t hat” and replace with “that”
73	2	Strike “gibes” and replace with “jives”
75	23-24	Strike “Hi, Mr. Wade. My name is Brian Downey with Chairman Johnson’s office.”
85	17	Strike “our” and replace with “your”
90-91	25-1	Strike “He’s the supervisor”
104	14	Strike “sent” and replace with “send”

- Finance Majority
  - Pending
- HSGAC Minority
  - Pending
- Finance Minority
  - NA
- Counsel

Page	Line	Correction
5		it should say "David" not "Dave" - I didn't say "Dave"
Throughout		My middle name is misspelled; it should be "ECKELS"
29		it should be "buttoning" not “bucking”
41		it should say "paperwork, OR WHAT?"
60		it should be "MENTIONED" not "studied"
63	16	should be "VISIBILITY" not "ability"
79	14	should say "my job at STATE" not "at staff"
84	23	should be "MEMOS" not "members"
88	3	should say "EUR" not"ENR"
88	25	should be "typically" not "technique"

UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

- - - - -x

INTERVIEW OF: :

ELISABETH F. ZENTOS :

:

- - - - -x

Room SD-342 and via Webex  
Dirksen Senate Office Building  
Washington, D.C.  
Monday, July 20, 2020  
10:07 a.m.

INTERVIEW OF ELISABETH F. ZENTOS

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1 P R O C E E D I N G S

2 MR. FOLIO: All right, Josh. Now we're officially  
3 ready to go. I'm assuming that's Ms. Zentos to your right?

4 MS. ZENTOS: Yes. Hello.

5 MR. FOLIO: Hi, Ms. Zentos. How are you?

6 MS. ZENTOS: Good. How are you doing?

7 MR. FOLIO: Very well, thank you. We very much  
8 appreciate you taking the time. We understand you're  
9 squeezing us in between transfers of post, so we very much  
10 appreciate that as you prepare to head off to your next  
11 assignment.

12 MS. ZENTOS: Thank you. Happy to be here to answer  
13 your questions.

14 MR. FOLIO: Great. I'm just going to walk through some  
15 welcoming remarks and instructions. Anyone, please feel  
16 free to let me know if I'm not coming through clearly or if  
17 I'm speaking too quickly, which I sometimes do, and I'll  
18 slow down.

19 So this is a transcribed interview of Ms. Elisabeth  
20 Zentos. I'm sorry. Ms. Gray is our court reporter. Ms.  
21 Gray, I just want to confirm that you're on the line and  
22 that you're able to hear me okay. Is that correct?

23 THE COURT REPORTER: Yes.

24 MR. FOLIO: Thank you.

25 So, again, this is a transcribed interview of Ms.

1 Elisabeth Zentos conducted by the Senate Committee on  
2 Homeland Security and Governmental Affairs as well as the  
3 Senate Committee on Finance. This interview was requested  
4 by Chairman Ron Johnson and Chairman Charles Grassley as  
5 part of the Committees' ongoing investigation of whether  
6 there were any actual or apparent conflicts of interest or  
7 any other wrongdoing with regard to the Obama  
8 administration's Ukraine policy or Burisma Holdings as well  
9 as related matters.

10 On April 30, 2020, Chairmen Grassley and Johnson  
11 requested Ms. Zentos' appearance for a voluntary transcribed  
12 interview and certain categories of documents. In response  
13 to her counsel, Mr. Joshua Levy, he notified the Committee  
14 that there were no responsive records, categories of  
15 requested material.

16 Ms. Zentos, can you please state your full name for the  
17 record?

18 MS. ZENTOS: Yes. Elizabeth Ferrell Zentos.

19 MR. FOLIO: Thank you. My name is Joseph Folio. I am  
20 the Chief Counsel for the Homeland Security Committee. I'm  
21 with Committee staff. I'm going to identify other folks--  
22 just to try and keep this an orderly process--in the room  
23 with me, and then I'll identify or give an opportunity to  
24 the folks who are joining us virtually to identify  
25 themselves.

1           Joining me also--I'm sorry, Josh. Go ahead.

2           MR. LEVY: Yeah, if my name is stated for the record  
3 already, I just had a question about something you had said,  
4 and we can say it after you take the roll. That's fine.

5           MR. FOLIO: Okay. So, in addition to myself for  
6 Chairman Johnson's staff, I'm also joined in the room by  
7 Scott Wittmann, Brian Downey, Lydia Westlake, Will  
8 Sacripanti, and Sarah Smerling. and then for Chairman  
9 Grassley's staff, I'm joined in the room by Joshua Flynn-  
10 Brown and Quinton Brady.

11          We also have representatives from Ranking Member  
12 Peters' staff and Ranking Member Wyden's staff. I'll ask  
13 Zack to take the lead and introduce the folks from Ranking  
14 Member Peters' staff who are joining us today.

15          MR. SCHRAM: My name is Zachary Schram with Ranking  
16 Member Peters, and I'm joined in the office, although  
17 virtually in different offices, by Alan Kahn, Soumya  
18 Dayananda, and Roy Awabdeh.

19          MR. FOLIO: Dave Berick, would you like to introduce  
20 people present for Ranking Member Wyden?

21          [No response.]

22          PARTICIPANT: Dave, you're muted.

23          MR. FOLIO: Dan, are you available to step in for Dave?

24          [No response.]

25          MR. FOLIO: All right. So I can see--

1 MR. GOSHORN: This is Dan Goshorn with Senator Wyden's  
2 staff on the Finance Minority. From our team here today, we  
3 have Dave Berick, Josh Heath, and Michael Osborn-Grosso.

4 MR. FOLIO: Thank you, Dan.

5 MR. SCHRAM: So we ought to resolve the audio on Dave's  
6 end. Dave, we can't hear you. I don't know if it's a  
7 microphone issue or...

8 MR. SACRIPANTI: Dave is unmuted. He should be able to  
9 speak.

10 MR. SCHRAM: No, it's not working.

11 MR. FOLIO: It might be helpful, Dave, to check the  
12 microphone access on your computer.

13 MR. GOSHORN: We will be Dave's proxy for the time  
14 being while we get him sorted out, so go ahead.

15 MR. FOLIO: Good. Thank you.

16 So, Josh, I was going to in my script have a spot to  
17 introduce you formally, but happy to do that now, or if you  
18 had an issue you wanted to raise, please go ahead.

19 MR. LEVY: Feel free to introduce.

20 MR. FOLIO: So now I will explain how the interview  
21 will proceed. The Federal Rules of Civil Procedure do not  
22 apply to any of the Committees' investigative activities,  
23 including transcribed interviews.

24 The way questioning will proceed is that we will  
25 alternate between the majority and minority staffs, each

1 taking 1-hour turns. The majority staff will begin and  
2 proceed for an hour, and I'll call out the time. The  
3 minority staff will then have an hour to ask questions, and  
4 we will rotate back and forth until there are no more  
5 questions and the interview will be over.

6       During the interview we will do our best to limit the  
7 number of people who are directing questions at you,  
8 especially in this virtual setting. That said, from time to  
9 time a follow-up question or a clarifying question may be  
10 useful, and if that's the case, you may hear from staff on  
11 different parts of your screen. So we will just take our  
12 time, and I really ask folks to not speak over each other  
13 and to please be careful and cognizant and listen if others  
14 are trying to interject a point.

15       The court reporter, Ms. Irene Gray, who I spoke with  
16 previously, she is on the line as well. She is going to  
17 create a verbatim record of what we discuss today. With  
18 this in mind, Ms. Zentos, it's important that you respond to  
19 questions verbally. The reporter cannot properly record  
20 nonverbal responses or gestures. Do you understand that?

21       MS. ZENTOS: I do.

22       MR. FOLIO: Thank you.

23       We encourage witnesses who appear before the Committees  
24 to freely consult with counsel. To your left, you have  
25 counsel present. Counsel, could you please state your name

1 for the record?

2 MR. LEVY: Joshua Levy, Levy Firestone Muse. And with  
3 me is Zachary Blau of the same law firm, also representing  
4 Ms. Zentos.

5 MR. FOLIO: Thank you.

6 Now, Ms. Zentos, we want you to answer our questions in  
7 the most complete and truthful manner possible. We're going  
8 to take our time. If you have any questions or do not  
9 understand our questions, please let us know, and we will do  
10 our best to clarify. Do you understand?

11 MS. ZENTOS: I do.

12 MR. FOLIO: This interview is unclassified, so if any  
13 question calls for information that you know to be  
14 classified, please state that for the record as well as the  
15 reason for the classification. And then once you've  
16 clarified to the extent possible, please respond with as  
17 much unclassified information as possible. And if we need  
18 to, we will have a classified session at a later time.

19 It is the Committees' practice to honor valid common  
20 law privilege claims as accommodation to a witness or party  
21 when those claims are made in good faith and accompanied by  
22 sufficient explanation so the Committees can evaluate the  
23 claim. When deciding whether to honor a privilege, the  
24 Committee weighs its need for the information against any  
25 legitimate basis for withholding it.

1           This interview is occurring without prejudice to any  
2 future discussion of the Committees, and we reserve the  
3 right to request your participation in future interviews or  
4 to compel testimony.

5           If you need to take a break, please let us know. We  
6 will ordinarily take a 5-minute break at the end of each 1-  
7 hour session. But if you need to take a break before the  
8 end of that, just let us know.

9           You're required to answer questions before Congress  
10 truthfully. Do you understand that?

11          MS. ZENTOS: I do understand.

12          MR. FOLIO: And this also applies to questions posed by  
13 congressional staff in an interview. Specifically, 18  
14 U.S.C. Section 1001 makes it a crime to make any materially  
15 false, fictitious, or fraudulent statements or  
16 representations in the course of a congressional  
17 investigation. That statute applies to your statements in  
18 this interview. Do you understand that?

19          MS. ZENTOS: I do.

20          MR. FOLIO: Is there any reason you are unable to  
21 provide the truthful answers to the Committees' questions?

22          MS. ZENTOS: There is none.

23          MR. FOLIO: Finally, we ask that you not speak about  
24 what we discuss in this interview with anyone else outside  
25 of who's here in the room today in order to preserve the

1 confidentiality and integrity of our investigation. We also  
2 ask that you do not copy or make any other notations of any  
3 exhibits that we're using as part of this interview,  
4 especially nonpublic documents. Do you understand and agree  
5 to those terms?

6 MS. ZENTOS: I do.

7 MR. FOLIO: Do you have any questions before we begin?

8 MR. LEVY: I do. Just a couple of questions.

9 One, I believe you noted at the beginning of the day  
10 that we had sent you a communication about Ms. Zentos'  
11 records, and I just wanted to note that, to my knowledge, no  
12 direct request by either Committee was made directly to Ms.  
13 Zentos or me for records inasmuch as a request was made to  
14 the State Department where she's an employee. It was just  
15 my understanding that the State Department had been  
16 responsive to your request. I just didn't want to create  
17 any confusion on the record and clarify that point. Is that  
18 your understanding as well, Joe?

19 MR. FOLIO: Yes, Josh, that's correct. I apologize.

20 MR. LEVY: Okay. And, secondly, I may not have heard  
21 it, but are there lawyers for the State Department present  
22 on this interview?

23 MR. FOLIO: Oh, thank you. So they were invited--one  
24 second.

25 [Pause.]

1 MR. FOLIO: Josh, thank you again. You're correct.  
2 The State Department is not on the line. We're going to get  
3 them on to join.

4 MR. LEVY: Pardon me?

5 MR. FOLIO: I said you are correct, thank you for  
6 pointing out that the State Department is not with us.  
7 We're going to get them.

8 [Pause.]

9 MR. SCHRAM: Josh, or, pardon me, Joe, while we're  
10 waiting for the State Department to join, I just had a word  
11 about the role of the minority participation, so it seems as  
12 good a time as any to do it.

13 Ms. Zentos, thank you for your service. We have great  
14 admiration for the courageous work and often difficult  
15 sacrifices of Foreign Service officers. I'll note that the  
16 majority declined to give you an opportunity for advance  
17 review of documents that you sent and received while at the  
18 NSC upwards of 4 years ago. In our view, that decision does  
19 not serve the interest of truth seeking.

20 The minority staff members also think that this  
21 investigation is not in keeping with the nonpartisan  
22 traditions and practices of our Committees. As the Ranking  
23 Members have said publicly, we believe this investigation  
24 advances Russian disinformation and election interference  
25 efforts and that we should not facilitate foreign

1 interference in our 2020 election.

2 I'll note also that we're conducting this interview  
3 remotely in part because we are in the midst of a pandemic  
4 that has created an extraordinary public health crisis in  
5 the United States. The Homeland Security and Governmental  
6 Affairs Committee has jurisdiction over pandemic  
7 preparedness and response. Ranking Member Peters believes  
8 that this investigation is a misuse of Committee resources  
9 that does not advance the health, safety, or economic  
10 security of Americans consistent with our Committee's  
11 mission. Our participation today is not an endorsement of  
12 the investigation. Minority staff have a right and  
13 responsibility to be here, and we will do our best to ensure  
14 that you are treated fairly, that the record is accurate and  
15 complete, and that the national security interest of the  
16 United States is protected.

17 MR. FOLIO: Just waiting to confirm that State has  
18 joined.

19 [Pause.]

20 MR. FOLIO: I'll just respond briefly to Zack's point.  
21 Just to note for the record all of the issues Zack raised  
22 have been addressed by Chairman Johnson or have been  
23 addressed by staff in one form or the other, whether at  
24 public hearings, including several public hearings on the  
25 COVID-19 pandemic, or in letters exchanged with Ranking

1 Member Peters, among other places.

2 I see that somebody has dialed in.

3 MR. KILLION: Can you hear us?

4 MR. FOLIO: Yes. There you are.

5 MR. KILLION: Great, thanks. I heard some beep, and I  
6 guess we got in. So Bill and Ken Thomas with State are  
7 here.

8 MR. FOLIO: So Bill Killion from the Office of--what  
9 does that stand for, Bill? I'm sorry.

10 MR. KILLION: Bureau of Legislative Affairs.

11 MR. FOLIO: And Ken Thomas from the Legal Advisor's  
12 Office. Is that correct?

13 MR. KILLION: Yes.

14 MR. FOLIO: Great. Now I think we officially have  
15 everyone. Are you ready to proceed?

16 MR. LEVY: Yes, unless you need to repeat the  
17 preliminaries for State Department lawyers.

18 MR. FOLIO: I don't think so, but we can just notify  
19 them that we went through a whole host of welcome and  
20 instructions and basically asked everyone to speak slowly  
21 and be thoughtful. And if you have any questions, please  
22 raise them and let us know.

23 All right. So I'll note that the time is 10:24. The  
24 majority's questioning will commence for 1 hour.

25 Ms. Zentos, what is your current place of employment

1 and the job?

2 MS. ZENTOS: I'm currently a Foreign Service officer  
3 with the Department of State. I am between postings and on  
4 reduced home leave right now.

5 MR. FOLIO: And what was your previous posting and  
6 what's your future posting?

7 MS. ZENTOS: My previous posting was at the U.S.  
8 Embassy in Tbilisi, Georgia. In 2 days I depart for Kabul,  
9 Afghanistan, where I will serve at the U.S. mission there.

10 MR. FOLIO: At both of those posts, what was your  
11 position and title?

12 MS. ZENTOS: In Tbilisi I was the political economic  
13 chief, and in Kabul I will be the deputy political  
14 counselor.

15 MR. FOLIO: When did you first join the State  
16 Department?

17 MS. ZENTOS: I joined the State Department in 2004.

18 MR. FOLIO: And please briefly describe your postings  
19 at the State Department from 2004 up to your posting in  
20 Georgia?

21 MS. ZENTOS: Sure. My first posting was to Yerevan,  
22 Armenia, where I was the information officer. That was 2005  
23 to 2007. I then went to Ottawa, Canada, where I did a  
24 rotation, 1 year as a political officer and 1 year as a  
25 consular officer. Then I returned to Washington, D.C.,

1 where I worked at the State Department's main headquarters  
2 as the political officer on the Ukraine desk. That would  
3 have been from 2009 to 2011. In 2011 I went to the Foreign  
4 Service Institute where I studied Russian language in  
5 preparation for my follow-on assignments.

6 In the summer of 2012, I went to Kyiv, Ukraine, where I  
7 served as the political, military and external affairs chief  
8 in the political section.

9 I departed Ukraine the summer of 2014 and returned to  
10 Washington, D.C., where I worked again at State Department  
11 main headquarters as a Special Assistant to the Under  
12 Secretary for International Security and Arms Control. That  
13 was a 1-year assignment, so in the summer of 2015, I then  
14 moved to the National Security Council on a 1-year detail  
15 from the State Department where I served as the Director for  
16 Eastern Europe.

17 In the summer of 2016, I left the National Security  
18 Council and went back to the State Department's Foreign  
19 Service Institute where I took advanced Russian language  
20 classes.

21 In 2017 I departed for Moscow where I served as the  
22 external affairs chief in the political section at the U.S.  
23 Embassy in Moscow until the end of March 2018--actually, I  
24 guess I left at the beginning of April 2017 when I was  
25 declared persona non grata by the Russian Government. At

1 that point I returned to Washington briefly, was able to get  
2 an assignment in Tbilisi, Georgia. So in 2018, in the  
3 summer of 2018, I went to Tbilisi, Georgia, where I served  
4 as the political economic chief, served there for 2 years,  
5 and now I am preparing to leave in a couple days for Kabul.  
6 And in all assignments, I was a career Foreign Service  
7 officer for the State Department.

8 MR. FOLIO: Thank you. When you served as a special  
9 advisor--to whom were you working for--or for whom were you  
10 working?

11 MS. ZENTOS: The Under Secretary then was Rose  
12 Gottemoeller.

13 MR. FOLIO: You said before that or maybe a few  
14 postings before that you worked on the Ukraine desk. You  
15 were a desk officer. Can you please describe generally what  
16 were your roles and responsibilities in that position?

17 MS. ZENTOS: Sure. I worked at the State Department  
18 Ukraine desk. There were two desk officers. I was the one  
19 who covered political issues. I had a colleague who covered  
20 economic issues. We reported up through the deputy of the  
21 office. The office covered Ukraine, Moldova, and Belarus.  
22 So we were in charge of looking at U.S.-Ukraine issues, and  
23 my focus was on the political side.

24 MR. FOLIO: When you say were in charge of looking at  
25 Ukraine issues, what did that mean on a day-to-day basis?

1 From whom would you get inquiries or tasking?

2 MS. ZENTOS: I worked for the State Department, so we  
3 looked at Ukraine from a perspective of U.S. foreign policy  
4 and U.S. national security. And there--you know, going back  
5 to the purpose here, I have no recollection of discussing  
6 Burisma or Hunter Biden at any time while I was in that  
7 position.

8 MR. FOLIO: Truly I was just trying to understand your  
9 functions as a Ukraine desk officer as background to the  
10 later work that you've done in Ukraine. So in that  
11 position, would you field questions or inquiries from only  
12 State Department folks or from different parts of the  
13 Government?

14 MS. ZENTOS: I would work with the interagency  
15 definitely at times, as I have in, I think, basically all  
16 positions for the State Department. Usually the State  
17 Department, as you know well, has the lead on foreign policy  
18 issues, but we do that in close cooperation with other U.S.  
19 Government agencies.

20 MR. FOLIO: And when did you start your detail to the  
21 National Security Council?

22 MS. ZENTOS: I began the detail in June of 2015.

23 MR. FOLIO: And I think you mentioned it, but can you  
24 please tell us again what your title at the National  
25 Security Council was?

1 MS. ZENTOS: Yes. I was Director for Eastern Europe.

2 MR. FOLIO: And when did you finish that detail?

3 MS. ZENTOS: I finished that detail at the end of July  
4 of 2016.

5 MR. FOLIO: What were your duties and job  
6 responsibilities as the Director for Eastern Europe on the  
7 National Security Council?

8 MS. ZENTOS: At the National Security Council, my  
9 portfolio focused on the countries of Ukraine, Moldova, and  
10 Belarus and U.S. relations with those countries. On Ukraine  
11 issues, the focus of my work was largely on the ongoing  
12 armed conflict that Russia was conducting in Eastern  
13 Ukraine. I focused on negotiations that were attempting to  
14 end that armed conflict that was resulting in deaths of  
15 Ukrainians daily. And I also focused on helping to provide  
16 Ukrainian defense forces with defensive equipment that would  
17 help them protect their territory and defend their people.  
18 And I was not focused on corruption and, as you I'm sure  
19 already know from the letter that was sent, I have no  
20 recollection of any work discussions related to any  
21 communications, any meetings related to Hunter Biden or  
22 Burisma when I was there, or in any position in the U.S.  
23 Government.

24 MR. FOLIO: So when you said your focus was on the  
25 conflict between Russia and Ukraine, was that the primary

1 nature of your focus? I'm just wondering if, you know,  
2 other issues unrelated to that conflict but still in the  
3 national security foreign affairs realm happened. Is that  
4 something that would come across your desk?

5 MR. LEVY: Do you want her to answer the first question  
6 first? I'm just trying to--you asked a couple questions  
7 there.

8 MR. FOLIO: No, I was just asking the one question to  
9 determine whether or not it was the sole focus--whether the  
10 conflict with Russia was her sole focus or whether she would  
11 address other national security or foreign affairs issues  
12 regarding Ukraine that came up.

13 MS. ZENTOS: What I covered really was dependent on  
14 what I was asked to do by people above me, but like I said,  
15 the big issue when I was there that my superiors were  
16 focused on was the conflict, and so, you know, you asked  
17 what I mainly focused on. So mainly I focused on the  
18 conflict, and my focus was not--the focus was not on  
19 corruption.

20 MR. FOLIO: You mentioned folks that you reported to as  
21 the National Security Council staff. To whom did you  
22 report?

23 MS. ZENTOS: With that person, I have no recollection  
24 of discussing the topics of Burisma or Hunter Biden. That's  
25 certainly not a person I discussed that topic with.

1 MR. FOLIO: That's fine, but my question was: To whom  
2 did you report on the National Security Council?

3 MS. ZENTOS: So, you know, again, I would just note  
4 that that's not a person I had, as far as I recall, any  
5 discussions with on Burisma or Hunter Biden, which is my  
6 understanding of what I came here to discuss today.

7 MR. FOLIO: I don't want to ask a third time, and I'm  
8 not trying to be difficult, but I would just like to  
9 understand your reporting structure. You said you were the  
10 Director for Eastern Europe. Surely that person reports to  
11 someone. Who is that someone?

12 MR. LEVY: Yeah, and, Joe, just--you know, she's here  
13 voluntarily pursuant to the Committee Chairs' letter of  
14 April 30, 2020, to Secretary Pompeo asking for her to  
15 participate in this voluntary interview. The scope of the  
16 investigation set forth in that letter from the Chairmen,  
17 notwithstanding the commentary from staff, was that the  
18 Committees were examining the potential conflicts of  
19 interest relating to the Obama administration's policy  
20 decisions with respect to Ukraine and Burisma Holdings and  
21 the extent to which representatives of Burisma used  
22 individuals with close personal connections to high-level  
23 officials within the Obama administration to gain access to  
24 and potentially influence U.S. Government agencies.

25 We recapitulated that scope in the letter Ms.

1 Zentos referenced from counsel which was sent to the  
2 Committee staff on July 18, 2020. There's no correction or  
3 amendment to the scope made by the Chairs that we're aware  
4 of. She's here to cooperate voluntarily and answer  
5 questions that are pertinent to the inquiry set forth from  
6 the Chairmen which pertain to Burisma and Hunter Biden. And  
7 so inasmuch as you want to ask questions or anyone here on  
8 this call wants to ask questions about the scope of that  
9 investigation and that are pertinent to them, she will  
10 answer them. We're here all day for you.

11 MR. FOLIO: So what's the basis for her not answering  
12 the question as to who her supervisor was?

13 MR. LEVY: It's no one she had a conversation with  
14 about Burisma or any of the issues that seem to be pertinent  
15 to the scope of the Committees' inquiry, and so balancing  
16 your right to information pertinent to the Committees'  
17 examination with her discretion as a former National  
18 Security Council member, she's going to decline to answer  
19 that question.

20 MR. FOLIO: To be clear, you're asserting a privilege  
21 over the answer?

22 MR. LEVY: No.

23 MR. FOLIO: So you're saying it's not relevant?

24 MR. LEVY: I'm saying it's not pertinent to the  
25 Committees' examination.

1 MR. FOLIO: The Committees' examination is indeed with  
2 regard to Burisma, but it's broader than that. The  
3 Committees' investigation is to determine how actual or  
4 apparent conflicts of interest may have affected U.S.  
5 foreign policy in Ukraine. Ms. Zentos sat as a member of  
6 national security staff working on U.S. national security  
7 policy for Ukraine. As part of that policy, she has to  
8 report to people and take guidance from people, and that  
9 could not be more relevant to our inquiry to understand how  
10 she performed her job functions to understand U.S. foreign  
11 policy in Ukraine and how, if at all, it was affected by any  
12 corruption issues with Burisma Holdings.

13 MR. LEVY: Respectfully, your attempt to recapitulate  
14 the Chairmen's distillation of the scope of the  
15 investigation was inaccurate in that it was not related to  
16 potential conflicts of interest with regard to U.S. policy  
17 in the Ukraine in general, but to Ukraine and Burisma  
18 Holdings. And so she's here to answer questions that are  
19 pertinent to that investigation. If you want to ask her  
20 questions about that, you may and she will answer them, but  
21 she's told you that she's had no conversations or business  
22 meetings or official communications of any kind with the  
23 person who supervised her about Burisma or Hunter Biden.  
24 That's not her recollection, and so I would just advise you  
25 to move on. You can ask her other questions that relate to

1 that potential conflict of interest that the Chairmen  
2 specified.

3 MR. FOLIO: Unfortunately, Josh, we can't move on  
4 because the Chairmen's investigation is focused on how these  
5 conflicts of interest or potential conflicts of interest  
6 affected U.S. policy towards Ukraine. She is here to answer  
7 questions about all of them. You cannot send a letter and  
8 unilaterally redefine the scope of the Chairmen's  
9 investigation. The scope of the Chairmen's investigation is  
10 set forth in several letters that they sent to the State  
11 Department, one of which was a follow-up based on  
12 information received from the State Department, and that was  
13 the request to interview your client. So while I appreciate  
14 the effort, you're ignoring the fundamental part of the  
15 investigation, which is we cannot understand how actual or  
16 apparent conflicts of interest affected U.S.-Ukraine policy  
17 without talking about U.S.-Ukraine policy.

18 MR. LEVY: And, Joe, with respect, neither you nor I  
19 can expand or change the Chairmen's scope of the  
20 investigation. The letter that we received or that we were  
21 made aware of from Committee staff was the April 30 letter.  
22 I quoted verbatim from that letter back to you in my letter  
23 of July 18. You did not come back to me, nor did anyone  
24 else, and say that I was wrong about that scope of the  
25 investigation. And she's here all day for you. She'll

1 answer questions that relate to this potential conflict of  
2 interest that your Committees are investigating regarding  
3 Ukraine and Burisma Holdings. But questions that don't  
4 relate to that specific potential conflict of interest seem  
5 to be not pertinent to the inquiry. There are tons of  
6 questions you can ask, and she'll answer those that are  
7 pertinent. And, in part, the big reason why we sent you the  
8 letter on July 18 was to be very transparent with you, that  
9 she doesn't have recollections about Government meetings  
10 where Burisma and Hunter Biden took place, and we wanted to  
11 make the best use of your time and let you know that this  
12 was going to be her testimony.

13 MR. FOLIO: Respectfully, Josh, you're wrong. You are  
14 not in a position to define Chairman Johnson and Chairman  
15 Grassley's scope of their investigation. I as Chief Counsel  
16 for Chairman Johnson am. We're happy to enter into the  
17 record the multiple letters that Chairman Johnson set forth  
18 through the State Department defining the scope of the  
19 investigation, and the proposition you're advancing that a  
20 letter sent at 5:00 p.m. on Saturday, a day and a half  
21 before the interview, somehow unilaterally redefined,  
22 according to your own writing, the scope of the Chairmen's  
23 investigation is simply flat out wrong. If that's--

24 MR. LEVY: Joe--

25 MR. FOLIO: --to take, I'm telling you right now, from

1 Chairman Johnson's perspective--and I'll let Josh speak from  
2 Chairman Grassley's perspective--that that is inappropriate  
3 and we will view that as an effort not to cooperate with  
4 this investigation, in fact, to undermine the investigation  
5 by not answering simple questions as to who was your  
6 supervisor at the National Security Council.

7 MR. LEVY: Joe, just to be clear, I'm not trying to  
8 redefine anything. I was quoting from the Chairmen's April  
9 30, 2020, letter clearly, and that's the only letter that  
10 Committee staff up until this point has ever given me from  
11 the Committee with regard to this interview. So I have to  
12 take you at your word and the Chairmen's word that this was  
13 the scope of the investigation. There's no resolution.  
14 There doesn't necessarily need to be one, but that was how  
15 the scope was defined. She is balancing her discretion as a  
16 former member of the National Security Council, which, as  
17 you know, is not like working with the DMV. Very discreet  
18 communications occur that affect our national security.  
19 She's being professional and protective of that. And that  
20 obligates [inaudible-audio difficulties] that's pertinent to  
21 the Chairmen's April 30 letter. That was the letter we had.

22 MR. FOLIO: Well, Josh, before I turn it over to Josh  
23 Flynn-Brown from Chairman Grassley's staff, I'll point out  
24 that Ms. Zentos, a government employee, she is bound by a  
25 request to the State Department, not just the only letter

1 you chose to read. The April 30th letter was an explicit  
2 follow-up on a prior letter sent, I believe, in December,  
3 not November, which we will enter into the record.

4 MR. LEVY: Do you want to--

5 MR. FOLIO: You're frankly--I mean, this is--you're  
6 playing word games here, and from Chairman Johnson's  
7 perspective--because you're ignoring Chairman Johnson's  
8 other words in other letters. You chose to read one letter,  
9 and you're reading it--"narrowly" I think would be a  
10 compliment. And I think I've made clear how Chairman  
11 Johnson will review--or will view refusal to answer  
12 questions on this basis, which, as you've made clear, is not  
13 a privilege. I'm not even sure you're making a relevancy  
14 argument. You're making an argument that you're advising  
15 your client not to answer just because she doesn't--I'm  
16 going to ask Josh from Chairman Grassley's staff--

17 MR. LEVY: Well, Joe, before Josh speaks, let me  
18 respond to that. I am taking the only letter that your  
19 staff has given me from the Committee, and that is where I  
20 understand the scope of the investigation to [[inaudible-  
21 audio difficulties]. I'm not making a relevancy argument.  
22 I'm saying this is a pertinency argument, and the questions  
23 that you're asking aren't pertinent to the investigation,  
24 and she's balancing your right to ask information that's  
25 pertinent to the investigation as we understood it based on

1 the Chairmen's April 30 letter that invited her for an  
2 interview, and she's here voluntarily. She's here all day  
3 for you. You can ask whatever questions you want, and she's  
4 going to respond balancing those interests and rights that  
5 she has. I can't control how you interpret it. I just want  
6 to clarify our position.

7 MR. FOLIO: Why did you not ask for any other of  
8 Chairman Johnson's letter on this matter to fully understand  
9 the scope of the investigation if you're going to argue that  
10 that is some sort of guide that you're going to follow?

11 MR. LEVY: I thought this was the operative letter.  
12 Nobody told me that it wasn't.

13 MR. FOLIO: So based on your assumption?

14 MR. LEVY: No. We've been operating with this mutual  
15 understanding for some time. We were invited--

16 MR. FOLIO: How could it be mutual if you've never  
17 raised this issue before, again, arguably, a Saturday 5:00  
18 p.m. letter, a day and a half before the interview?

19 MR. LEVY: I didn't think it was an issue. I didn't  
20 know there was a controversy. I thought you were interested  
21 in whether there was a potential conflict of interest in  
22 U.S. policy regarding the Ukraine and Burisma, because  
23 that's what the April 30 letter said.

24 MR. FOLIO: Exactly. Conflict of interest between  
25 U.S.-Ukraine foreign policy to which Ms. Zentos can speak.

1 Can you explain--

2 MR. LEVY: I said--

3 MR. FOLIO: --your definition of pertinency versus  
4 relevance?

5 MR. LEVY: Pardon me?

6 MR. FOLIO: You said you're not--you made crystal clear  
7 you're not arguing privilege. You made crystal clear that  
8 you're not saying it's not relevant. You're saying it's not  
9 pertinent, and my question is: What is the difference  
10 between relevancy and pertinency?

11 MR. LEVY: Pertinency is the standard of law from U.S.  
12 v. Watkins, a 1957 Supreme Court decision--

13 MR. FOLIO: A criminal case?

14 MR. LEVY: It is a criminal case interpreting the  
15 criminal contempt statute for Congress. Now, as you know,  
16 Ms. Zentos is not under a deposition here. She's not  
17 compelled to testify. She's here voluntarily. She's here  
18 all day--

19 MR. FOLIO: As you know, criminal law doesn't really  
20 apply here.

21 MR. LEVY: But it's a specific congressional contempt  
22 statute, Joe. It's--

23 MR. FOLIO: That's for some proceedings. This is a  
24 voluntary interview--

25 MR. LEVY: I understand--

1 MR. FOLIO: --so it's not relevant.

2 MR. LEVY: Joe, we're trying to--we're trying to comply  
3 with the law. We're trying--the standard in Congress for  
4 the last 70 years plus has been that Congress has the right  
5 to ask questions that are pertinent to an investigation, and  
6 the witness may answer those questions, but the witness does  
7 not have a right to--does not have an obligation, rather, to  
8 answer questions that are not pertinent to the inquiry.

9 MR. FOLIO: Before I turn it over to Josh from Chairman  
10 Grassley's staff, I just should be clear. So your position  
11 is it is not pertinent to the inquiry to whom Ms. Zentos  
12 reported in the National Security Council staff, the person  
13 who--the manager of her work.

14 MR. LEVY: Given that she has told you that she's had  
15 no Government meetings or Government communications with  
16 that person about Burisma or Hunter Biden, yes.

17 MR. FOLIO: It is conditional. It's not relevant only  
18 because.

19 MR. LEVY: There has to be a reason why it's pertinent.  
20 That's why it's not pertinent.

21 MR. FOLIO: So is it pertinent for us understanding  
22 U.S.-Ukraine policy and how that was developed in the  
23 National Security Council?

24 MR. LEVY: That's not the scope of the investigation  
25 defined in the April 30 letter. The scope of the

1 investigation defined in the April 30 letter is the  
2 potential conflicts of interest relating to policy decisions  
3 with respect to Ukraine and Burisma Holdings. It's very  
4 specific.

5 MR. FOLIO: Conflict of interests with regard to what?

6 MR. LEVY: Ukraine and Burisma Holdings. That's what  
7 the Chairmen's letter says.

8 MR. FOLIO: Ukraine. And how do you read Ukraine?  
9 Ukraine--

10 MR. LEVY: Ukraine and Burisma--it's a conjunctive  
11 phrase. Ukraine and Burisma Holdings.

12 MR. FOLIO: It is a tortured reading, to say the least.

13 MR. LEVY: Straightforward Committee meeting reading,  
14 and I--this is very simple. I'm just using the language  
15 here. This is how anybody would look at this. I don't see  
16 any other reading but an investigation into the potential  
17 conflict of interests with respect to Ukraine and  
18 [inaudible-audio difficulties].

19 MR. FOLIO: Exactly. Conflicts of interest regarding  
20 U.S. policy towards Ukraine. Josh?

21 MR. FLYNN-BROWN: Ms. Zentos, can you hear me okay?

22 MS. ZENTOS: Yes.

23 MR. FLYNN-BROWN: Ms. Zentos, are you a Federal  
24 Government employee right now?

25 MS. ZENTOS: Yes.

1 MR. FLYNN-BROWN: Were you a Federal Government  
2 employee at the National Security Council?

3 MS. ZENTOS: I was a Federal Government employee  
4 detailed to the National Security Council still working for  
5 the State Department at that time.

6 MR. FLYNN-BROWN: Don't you think as a Federal  
7 Government employee you should disclose to Congress who you  
8 reported to?

9 MS. ZENTOS: I think I need to be careful to balance  
10 your request for information, which I want to be responsive  
11 to, with my need to be discreet with other information  
12 that's not pertinent to the investigation or deployment to  
13 the National Security Council.

14 MR. FLYNN-BROWN: Is the existence of your supervisor  
15 classified?

16 MR. LEVY: Is it classified? Is that your question?

17 MR. FLYNN-BROWN: Yes.

18 MS. ZENTOS: Not classified, but it is--not classified.

19 MR. FLYNN-BROWN: Not classified.

20 MS. ZENTOS: That's correct.

21 MR. FLYNN-BROWN: So I see no restrictions other than  
22 your lawyer's incorrect interpretation of the Committee  
23 scope. Are you directing your client not to answer?

24 MR. LEVY: I think she's made it clear that she wants  
25 to be cooperative with all of you, wants to be here all day

1 to answer questions that are pertinent to the inquiry.

2 MR. FLYNN-BROWN: Are you directing your client not to  
3 answer?

4 MR. LEVY: Josh, let me finish my answer, please--my  
5 response to your initial question. She's here to answer  
6 questions that are pertinent to the investigation, balancing  
7 her discretion as a former detailee to the National Security  
8 Council. So she's not answering this question.

9 MR. FLYNN-BROWN: This is the Committee's inquiry, and  
10 we determine what's relevant, and we determine what's  
11 pertinent. Are you directing your client not to answer the  
12 question?

13 MR. LEVY: The Chairs of the Committee--the Committee  
14 itself can determine the scope. Our understanding is that  
15 this question is not pertinent to that examination as we  
16 understand it.

17 MR. FLYNN-BROWN: I'm going to ask you a third time.  
18 Are you directing your client not to answer the question?

19 MR. LEVY: She's told you she's going to respectfully  
20 decline to answer this question in a voluntary interview.  
21 You can ask many other questions.

22 MR. SCHRAM: I'll remind the majority that this is a  
23 voluntary interview. At this point the witness and her  
24 counsel have made their point clearly. They're under no  
25 obligation to answer any question. It's a voluntary

1 interview.

2 MR. FOLIO: All right. Just so we're all clear, and,  
3 Josh, I think we've made clear Chairman Johnson's  
4 perspective that the interpretation of the scope of the  
5 investigation could not be more wrong. We view this as  
6 highly relevant to the investigation to determine whether  
7 there was a conflict of interest that affected Ukraine  
8 policy, to understand what U.S.-Ukraine policy is, and we  
9 are undermined and hindered in our ability to understand  
10 that from Ms. Zentos, because by not being able to  
11 understand to whom she reported, to whom she received  
12 guidance about her work, we are unable to identify a person  
13 potentially to determine whether they did or did not have  
14 any of these conversations, thereby making our investigation  
15 more difficult.

16 I will ask Will to enter into the record the letters  
17 from Chairman Johnson setting forth his inquiry to the State  
18 Department on these matters just to make clear the  
19 investigation is focused on conflicts of interest as they  
20 affected U.S.-Ukraine foreign policy. The original letter  
21 as well as the April 30th letter which Josh himself read  
22 out--Josh Levy--the letter to address conflicts of interest  
23 with regard to Ukraine, which is U.S.-Ukraine foreign  
24 policy. It remains Chairman Johnson's position that the  
25 refusal to answer this question is not cooperative and

1 hinders the investigation.

2 MR. SCHRAM: Joe, can you please clarify which letters  
3 you're entering into the record?

4 MR. FOLIO: Sure.

5 MR. LEVY: And can you send us a copy of those letters  
6 so we can review them, please? We've not received those  
7 letters from the Committee at any time since April 30.

8 MR. FOLIO: Josh, you never asked for the letters.

9 MR. LEVY: I didn't know it was my obligation. I just  
10 would like to see the documents that you're entering into  
11 the record during this interview. This is why we asked for  
12 those documents over the weekend, and on July 3rd we asked  
13 for documents that you would be using during the interview.  
14 If this is one of them, we'd like to see it. You said that  
15 we would have ample time to review them during the  
16 interview. We'd like to see the documents.

17 MR. FOLIO: Sure. We'll send you the website link  
18 because the letter has been public since it was sent. To be  
19 clear, on Saturday you did not ask to see any letters. You  
20 asked for exhibits that we would show during the interview.  
21 This was not an exhibit we intended to use during the  
22 interview. But we're entering it as an exhibit now because  
23 of the overly narrow interpretation you were taking of the  
24 letter, which is incorrect on its face, but especially  
25 incorrect in light of the full scope of Chairman Johnson and

1 Chairman Grassley's request [inaudible-audio difficulties]  
2 investigation.

3 MR. LEVY: We obviously disagree with your  
4 mischaracterization of what I was saying, which is simply  
5 quoting back from the Chairman's April 30, 2020, letter, and  
6 we did ask for records that you would be showing Ms. Zentos  
7 or using in this interview on July 3rd. We renewed that  
8 request on July 17, and we'd like to see those documents and  
9 the versions of them that you will be entering into the  
10 record for this interview.

11 MR. FOLIO: Josh Flynn-Brown.

12 MR. FLYNN-BROWN: Ms. Zentos, when you were detailed to  
13 the National Security Council, who worked under you?

14 MS. ZENTOS: Whoever may have worked under me, I have  
15 no recollection, again, of discussing Burisma or Hunter  
16 Biden with anyone in any work context in the 2 years I  
17 worked for the Department of State of the U.S. Government.

18 MR. FLYNN-BROWN: So you're not going to answer who  
19 reported directly to you and you're not going to answer who  
20 you reported directly to?

21 MS. ZENTOS: If I didn't discuss Burisma or Hunter  
22 Biden with that person as far as I recall, I don't see how  
23 that's pertinent to the investigation, why a name would be  
24 pertinent.

25 MR. FOLIO: So for the record, maybe we can address

1 this one final time. But, again, "pertinency" is a word  
2 that has no meaning that's been made clear. Relevance to  
3 the investigation, conflict of interest, insofar as that  
4 conflict affects U.S.-Ukraine policy is the scope of the  
5 investigation. The question has been asked several times.  
6 I think unless we hear a different answer, we're just going  
7 to understand your answer, Ms. Zentos, to be that you won't  
8 or are choosing not to answer questions about to whom you  
9 reported at the National Security Council; two, you are  
10 choosing not to answer the questions about who reported to  
11 you at the National Security Council.

12 MR. LEVY: I think we make mischief when we're  
13 characterizing a witness' testimony, and I would just have  
14 you ask her a question. The considerations of pertinency  
15 are clearly long embedded in congressional investigations  
16 law. They have a place here. It's why we're being  
17 respectful of that standard. And if you want to ask a  
18 question, she will answer it or decline to answer it. We're  
19 here voluntarily.

20 MR. FOLIO: Yes, you cited a criminal law case, and the  
21 case law also reflects that the people in the best position  
22 to define the scope of their investigation are the people  
23 investigating the committee.

24 Ms. Zentos, are you refusing to answer the question to  
25 whom you reported at the National Security Council?

1 MS. ZENTOS: My answer is that I did not discuss the  
2 topic of this investigation, Burisma or Hunter Biden, to my  
3 recollection, with that person, or anyone--or anyone that I  
4 can recall at any time working for the U.S. Government.

5 MR. FOLIO: It's a yes or no question. Are you  
6 refusing to identify your superiors?

7 MR. LEVY: She's--you asked and answered this question  
8 a bunch of times, Joe. Just move on, please.

9 MR. FOLIO: We'll take silence as a no.

10 Ms. Zentos, are you refusing to tell us to whom--who  
11 reported to you in the National Security Council?

12 MR. LEVY: She has asked and answered this question,  
13 Joe.

14 MR. FOLIO: We will take that as a no then.

15 MR. FOLIO: Ms. Zentos, what was the status of Ukraine  
16 when you started at the National Security Council?

17 MS. ZENTOS: I'm sorry. Can you--what do you mean the  
18 status?

19 MR. FOLIO: What was the general foreign affairs,  
20 national security situation with regard to Ukraine when you  
21 started at the National Security Council?

22 MR. LEVY: Can you clarify that question?

23 MR. FOLIO: Sure. So when you started at the National  
24 Security Council, you were the Director of Eastern European  
25 Affairs. What was going on in Ukraine at the time?

1 MS. ZENTOS: As I noted earlier, the Russians were  
2 attacking Ukrainians and Ukraine.

3 MR. FOLIO: Other than the conflict with Russia, were  
4 there any other prominent issues with Ukraine, U.S. foreign  
5 policy towards Ukraine?

6 MR. LEVY: On which she worked?

7 MR. FOLIO: Yes.

8 MR. LEVY: I think she told you what she worked on. Go  
9 ahead.

10 MS. ZENTOS: Yeah, I mean, I will just say in any  
11 bilateral relationship, as a State Department officer, we  
12 look at how anything--how developments could affect U.S.  
13 national security. And so the main issue affecting U.S.  
14 national security at that time was the fact that there was  
15 ongoing armed fighting and a threat to a country's  
16 territorial integrity, and so that's what my focus was on.

17 MR. FOLIO: What was the U.S. foreign policy towards  
18 Ukraine at the time?

19 MS. ZENTOS: The U.S. foreign policy was that we wanted  
20 to see Ukraine succeed and democratize and integrate with  
21 the West.

22 MR. FOLIO: Succeed in its conflict against Russia?

23 MS. ZENTOS: We wanted to see Ukraine succeed as a  
24 democratic, Western-oriented country with its territorial  
25 integrity intact.

1 MR. FOLIO: How did U.S. loan guarantees fit into that  
2 policy?

3 MS. ZENTOS: My focus, again, was on the ongoing  
4 conflict. There were many people at the National Security  
5 Council who focused on Ukraine. There were many people  
6 throughout the U.S. Government that focused on the loan  
7 guarantee. Inasmuch as I was in any meetings on the loan  
8 guarantee, again, I recall no discussion of Hunter Biden or  
9 Burisma.

10 MR. FOLIO: How did your work factor in U.S. loan  
11 guarantees?

12 MS. ZENTOS: Sorry. You broke up a little.

13 MR. FOLIO: How did your work factor in U.S. loan  
14 guarantees as an element of U.S. policy toward Ukraine?

15 MS. ZENTOS: Insofar as any loan guarantee was aimed at  
16 helping Ukraine succeed, that was what our goal was. And,  
17 again, there was no discussion of Hunter Biden or Burisma  
18 that I was ever aware of that I recall.

19 MR. FOLIO: Were you ever engaged in discussions about  
20 whether or not loan guarantee conditions had been met?

21 MS. ZENTOS: Insofar as I would have been in any of  
22 those discussions, you know, again, just this, the topic of  
23 Hunter Biden and Burisma never came up as far as I can  
24 recall. There was no discussion of that topic.

25 MR. FOLIO: So were you involved in policy discussions

1 about U.S. loan guarantees?

2 MS. ZENTOS: I was not--my job was not to--I did not  
3 make U.S. policy. Insofar, again, as I was in any  
4 discussion on loan guarantees, again, I have to say there  
5 was no--there was no discussion, I recall no discussion of  
6 Hunter Biden or Burisma.

7 MR. FOLIO: Were you in any discussion about U.S. loan  
8 guarantees to Ukraine?

9 MR. LEVY: Can you repeat the question? We couldn't  
10 hear all that.

11 MR. FOLIO: I asked Ms. Zentos if she was involved in  
12 any discussions about U.S. loan guarantees to Ukraine during  
13 her time at the National Security Council.

14 MS. ZENTOS: Insofar as I would have been in any of  
15 those meetings, I--you know, what I can say, what I want to  
16 emphasize today is that I don't recall any discussion of  
17 Burisma or Hunter Biden. I don't have any information on  
18 that.

19 MR. FOLIO: We've heard you say that several times. I  
20 think you can rest assured that point has been emphasized.  
21 But just for the question that I've asked a couple times  
22 now, were you ever involved in any discussions at U.S.  
23 National Security Council staff about U.S. loan guarantees  
24 to Ukraine? Yes or no.

25 MS. ZENTOS: I don't recall these specifics 4-1/2 years

1 later. I may well have been in a discussion that involved a  
2 loan guarantee. Again, I have to say I have no recollection  
3 of the topics of this interview, Hunter Biden or Burisma,  
4 being discussed at any of those discussions.

5 MR. FOLIO: Were U.S. loan guarantees an important part  
6 of U.S. foreign policy towards Ukraine at that time?

7 MS. ZENTOS: What I would note and emphasize is that I-  
8 -my focus was not on loan guarantees. My focus was on an  
9 ongoing war. My focus was on providing the U.S. Government  
10 with whatever information I could on what was happening, how  
11 many people were being killed, where they were being killed,  
12 how we could help. So other people within the NSC and  
13 throughout the U.S. Government were definitely more focused  
14 on this issue than I was.

15 MR. FOLIO: Were those loan guarantees helpful to the  
16 people of Ukraine?

17 MS. ZENTOS: I'm not sure how--how to answer. I would  
18 hope that any U.S. policy at any time would help U.S.  
19 national security. That's always the goal. I think U.S.  
20 national security in general is linked to Ukraine continuing  
21 to move westward and be successful. So inasmuch as that's  
22 true, yes, any U.S. policy should help the country.

23 MR. FOLIO: Were those U.S. loan guarantees a tool by  
24 which the United States could ensure that Ukraine was moving  
25 westward, as you described it?

1 MS. ZENTOS: Again, I am no expert on U.S. loan  
2 guarantees. There are other agencies in the U.S. Government  
3 and also there were other people within the NSC who focused  
4 on this topic much more. But, you know, again, I would hope  
5 that any U.S. policy, including any U.S. loan guarantee,  
6 would serve the purpose of the U.S. people, which is to help  
7 countries integrate with the West who have stated that  
8 that's what they desire.

9 MR. FOLIO: Were U.S. loan guarantees to Ukraine a good  
10 thing or a bad thing?

11 MS. ZENTOS: I'm not sure that that's--I'm not sure  
12 that I have the ability or the knowledge, the background  
13 knowledge right now to answer that question. I left working  
14 on Ukraine matters several years ago, and I would need to  
15 see--you know, I don't have all the facts. I don't know  
16 what's happened in Ukraine since with those loan guarantees.

17 MR. FOLIO: I just want to be clear. So as the  
18 Director for Eastern Europe on National Security Council  
19 staff from the time you were there, the year you were there,  
20 I just want to be crystal clear that we understand what your  
21 awareness of U.S. loan guarantees was.

22 MS. ZENTOS: My awareness was what--at this point, 4-  
23 1/2 years later, is that there was one and that I would hope  
24 it would have been helpful, and I left working on Ukraine  
25 and today I don't know what effect that loan guarantee has

1 had or not had.

2 MR. FOLIO: I'm not asking about today. I'm asking  
3 about your time at the National Security Council staff.

4 MS. ZENTOS: I mean--

5 MR. FOLIO: Was it U.S. foreign policy to provide loan  
6 guarantees to the Ukraine? And if it was, and assuming that  
7 was viewed as a valuable goal--

8 MS. ZENTOS: I mean, my recollection was that, yes, we  
9 provided at least one loan guarantee that--the U.S.  
10 Government provided at least one loan guarantee to Ukraine.  
11 Again, there are experts on loan guarantees who could  
12 probably speak to that. My recollection is that we provided  
13 one, and that we--you know, that the U.S. Government hoped  
14 it would be effective in helping Ukraine to achieve its  
15 stated goal of integrating with the West and being  
16 independent.

17 MR. FOLIO: According to public reports, Vice President  
18 Joe Biden became the public face of the administration's  
19 handling of Ukraine policy in April 2014. From your  
20 perspective, what was Vice President Biden's role developing  
21 U.S. policy towards Ukraine?

22 MS. ZENTOS: From when I was at the NSC, certainly Vice  
23 President Biden, you know, worked on foreign policy issues,  
24 including Ukraine, but, again, I don't know of any  
25 Government discussion, Government communication, on Hunter

1 Biden or Burisma--that I participated in. I'm unaware of  
2 any discussion of those topics.

3 MR. FOLIO: From your perspective, what was Vice  
4 President Biden's role?

5 MR. LEVY: At what point in time? In 2014 you said?

6 MR. FOLIO: During her time at National Security  
7 Council staff, what was Vice President Biden's role in  
8 setting U.S. foreign policy towards Ukraine?

9 MR. LEVY: You had said 2014. She did not get to the  
10 National Security Council staff until June of 2015.

11 MR. FOLIO: I apologize. 2015 to 2016.

12 MS. ZENTOS: You know, again, the Vice President was  
13 involved in foreign affairs, including Ukraine, but I have  
14 no recollection of any discussion happening that I was  
15 involved in on these topics of Hunter Biden or Burisma.

16 MR. FOLIO: In formulating U.S. policy towards Ukraine  
17 as part of your work, did you ever receive guidance from  
18 anyone on Vice President Biden's staff?

19 MS. ZENTOS: First, I mean, I did not formulate U.S.  
20 policy. I assisted in providing information on what was  
21 happening in Ukraine and things of that nature, but I did  
22 not create policy. I have no recollection of discussing in  
23 any meetings or communications with anyone from the Vice  
24 President's staff or from anywhere else the topics of Hunter  
25 Biden or Burisma.

1 MR. FOLIO: So if you said that you don't recall  
2 speaking with any Vice President staff about Burisma, you're  
3 implicitly acknowledging that you spoke with the Vice  
4 President's staff about Ukraine policy generally. Is that  
5 right?

6 MS. ZENTOS: I mean, certainly I had contact with the  
7 Vice President's staff on work issues. In any  
8 administration, the National Security Council and the Office  
9 of the Vice President tried to make sure that they are on  
10 the same page. So in the extent to which I did that, yes.  
11 But, again, I never had--I don't recall any conversation  
12 with anyone from the Office of the Vice President on Burisma  
13 or Hunter Biden.

14 MR. FOLIO: And who from the Vice President's staff did  
15 you communicate with about developing U.S. policy?

16 MS. ZENTOS: Whoever that was, I did not, as far as I  
17 recall, have any work discussions of Hunter Biden or  
18 Burisma.

19 MR. FOLIO: Are you refusing to identify the people in  
20 the Vice President's staff with whom you spoke about U.S.-  
21 Ukraine policy?

22 MS. ZENTOS: I'm telling you that all those people who  
23 worked on that staff, I don't recall any work discussion of  
24 those topics, Hunter Biden or Burisma. I'm declining to get  
25 into names of people who worked in the NSC or OVP or

1 anywhere else. But I had none of these discussions on the  
2 topic of this interview, so that's what I want to emphasize.

3 MR. FOLIO: Did you ever meet with Vice President Biden  
4 about Ukraine policy?

5 MR. LEVY: We're not getting into conversations with  
6 the Vice President in a congressional interview.

7 MR. FOLIO: I didn't ask about conversations with the  
8 Vice President. I just asked simply if she's ever met with  
9 the Vice President to discuss Ukraine policy.

10 MR. LEVY: I don't think this is the place to talk  
11 about communications with the Vice President.

12 MR. FOLIO: I'm not talking about communications with  
13 the Vice President, Josh. Surely you can appreciate I'm  
14 asking simply did she ever have meetings or phone calls with  
15 the Vice President about U.S.-Ukraine policy.

16 MR. LEVY: She's going to decline to answer that  
17 question.

18 MR. FOLIO: On the basis of?

19 MR. LEVY: It's inappropriate to ask about meetings and  
20 communications with the President of the United States, the  
21 Vice President of the United States, in a congressional  
22 interview.

23 MR. FOLIO: What does "inappropriate" mean? Is that a  
24 legal term?

25 MR. LEVY: It's a voluntary interview. She's declining

1 to answer the question, Joe.

2 MR. FOLIO: I just want to be clear that there's no  
3 privilege assertion.

4 MR. LEVY: Joe, it's a tradition that is well regarded  
5 and well respected in these kinds of settings where  
6 communications with the President and Vice President are off  
7 limits, not talking. It's a voluntary interview.

8 MR. FOLIO: To be clear, what is privileged is the  
9 substance of the communications. That's very well defined  
10 in case law. My question had nothing to do with the  
11 substance of the communications. It was simply the fact  
12 that's not privileged. So I do not understand you to be  
13 asserting privilege unless you state otherwise.

14 MR. LEVY: I'm--I just want to be careful and  
15 protective of communications with the Vice President himself  
16 or the President himself because of the tradition of not  
17 having those kinds of communications discussed in these  
18 kinds of interviews. It's a voluntary interview, could  
19 implicate privilege, but I'm not here to invoke privilege or  
20 anything.

21 MR. FOLIO: Because it's not your privilege to invoke,  
22 right?

23 MR. LEVY: Correct. And at the same time, it's not  
24 ours to waive, and we'd just like you to move on.

25 MR. FOLIO: Well, I appreciate that, but for the

1 record, just making clear that tradition and appropriateness  
2 are not relevant here. Insofar as the privilege to assert,  
3 you are declining the opportunity--are you making another  
4 relevancy or should I say pertinency argument, refusal,  
5 directing her to not answer because of the pertinency?

6 MR. LEVY: No.

7 MR. FOLIO: So just choosing not to answer.

8 MR. LEVY: Correct.

9 MR. FOLIO: Thank you.

10 In May 2014, Hunter Biden joined the board of Burisma  
11 Holdings. Burisma actually issued a press release, and it  
12 stated that Hunter Biden would "be in charge of its legal  
13 unit," and according to him, he would focus on--his quote  
14 now--"matters of transparency, corporate governance, and  
15 responsibility" among other issues. Hunter Biden received  
16 around \$50,000 a month for serving in this role.

17 Ms. Zentos, are you familiar with Burisma Holdings, a  
18 Ukrainian gas company?

19 MR. LEVY: Are you reading from a document, Joe?

20 MR. FOLIO: I'm quoting from a press release.

21 MR. LEVY: Is that something we can see?

22 MR. FOLIO: Sure. Will's going to pull them up for you  
23 right now.

24 MR. LEVY: Thank you very much.

25 [Pause.]

1 MR. FOLIO: We can enter this as what we'll call  
2 Exhibit 1.

3 [Zentos Exhibit No. 1 was  
4 marked for identification.]

5 MR. FOLIO: We'll just scroll down to the second  
6 paragraph, the start of the second paragraph, on page 1.  
7 Right there. Josh and Ms. Zentos, if you could focus your  
8 attention to the second paragraph starting with, "R. Hunter  
9 Biden will be in charge of..."

10 MR. LEVY: And...

11 MR. FOLIO: Go ahead, Josh.

12 MR. LEVY: Yeah, she just wanted to clarify an answer  
13 to your previous question about meetings with the Vice  
14 President.

15 MR. FOLIO: Okay.

16 MS. ZENTOS: Yeah, I mean, insofar as you asked if I  
17 ever had a meeting with the Vice President, I never--I have  
18 no recollection of having a meeting with the Vice President,  
19 certainly not--certainly I have no recollection of any one-  
20 on-one meetings with then-Vice President Biden.

21 MR. FOLIO: Sure, but just to be clear now, were there  
22 any larger group meetings about Ukraine policy that you  
23 attended where Vice President Biden was there as well?

24 MR. LEVY: And inasmuch as there were, we're not  
25 getting into any of that communication. She's just telling

1 you she didn't have a one-on-one meeting with the Vice  
2 President.

3 MR. FOLIO: So you just want to be clear. So now it's  
4 not refusing to answer the entire question, but choosing to  
5 answer part of the question and then refusing to answer the  
6 remainder.

7 MR. LEVY: Right. We're trying to strike a balance  
8 here, Joe, between your right to information and all kinds  
9 of obligations that she has, and that's how we are trying to  
10 strike a balance right now with you. We're doing our best  
11 in this voluntary interview.

12 MR. FOLIO: So I'll just note for the record that the  
13 balance is not being struck very well at all. You have not  
14 asserted privilege. You have not asserted relevancy. And  
15 now you're refusing to partially answer the questions with  
16 answers that seem to suit your client but refuse to answer  
17 the other parts of the questions that would be relevant to  
18 what we have asked.

19 MR. LEVY: Joe, it's a voluntary interview, and she's  
20 declining to answer aspects of that question, balancing her  
21 discretion as a former member of the National Security  
22 Council staff and your Committee's right to information  
23 that's pertinent to your investigation, so thank you. We've  
24 made that clarification. You've made your position.

25 MR. FOLIO: We're just trying to understand what's on

1 your side of the ledger, and I'm not quite sure I appreciate  
2 it after all these conversations.

3 MR. LEVY: We're not obligated to assert a privilege in  
4 a voluntary interview, Joe.

5 MR. FOLIO: I understand. I'm just being clear not  
6 asserting a privilege, not asserting relevance, just  
7 choosing not to answer.

8 Do you need to see the other quote in this document?

9 MR. LEVY: What is the quote you're directing us to?

10 MR. FOLIO: I read two quotes, and you asked to see the  
11 document. So this is the document. I pointed you to the  
12 first quote I read, which was the second paragraph,  
13 beginning, "R. Hunter Biden."

14 MR. LEVY: Yeah, I'd like to note for the record that  
15 we don't have a copy of this document. You're putting it up  
16 on a share screen. I don't know if--it looks like there are  
17 two pages. I don't see the second--I don't see the first  
18 page or the--I see one page. I don't know if it's the first  
19 or the second. Can you send us this document?

20 MR. FOLIO: It's the first page. We can scroll down to  
21 show you the second page. I believe it's publicly--

22 MR. LEVY: This is the problem. This is why we asked  
23 you for documents in advance of the interview.

24 MR. FOLIO: These are the circumstances--

25 MR. LEVY: This is--

1 MR. FOLIO: Although they're not ideal, we're happy to  
2 scroll for you.

3 MR. LEVY: Can you send us a copy of--what's the harm  
4 in sending us a copy of the document? You have my email  
5 address.

6 MR. FOLIO: If this is a publicly available document,  
7 which I think it is, we can send that to you.

8 MR. LEVY: You should be able to send me any record  
9 that you're showing Ms. Zentos in this interview. You said  
10 you would.

11 MR. FOLIO: I never said I would. In fact, we've taken  
12 the opposite position so far as the Committees' practice  
13 under Chairmen Johnson and Grassley not to share records  
14 with witnesses prior to the interview.

15 MR. LEVY: I'm saying during the interview, right now,  
16 you're not sharing the document with me right now. I don't  
17 have a copy of it. You're putting it on a share screen. I  
18 don't have the document.

19 MR. FOLIO: Is the share screen not enough for you,  
20 Josh?

21 MR. LEVY: It's not because it's a multi-page document  
22 and I'd like to be able to have it so that the witness can  
23 read it all the way through at her pace and not at whoever's  
24 behind the computer manipulating it. I just--

25 MR. FOLIO: We're here to help you, Josh and Ms.

1 Zentos, so we're happy to leave it here on the second page  
2 as long as you need, and let us know when you'd like us to  
3 scroll up, and we will do that. Again, these are very  
4 unique circumstances, not our ideal situation, or anyone's  
5 for that matter. But we're doing the best we're able to.

6 MR. LEVY: So you are declining to send us a Committee  
7 record that's being used for the Committee interview?

8 MR. FOLIO: Yes.

9 MR. LEVY: And what's the basis for that?

10 MR. FOLIO: As I explained in my email to you, it's not  
11 the practice of Chairman Johnson or Chairman Grassley to  
12 share Committee records with interview witnesses.

13 MR. LEVY: Is there a Committee rule that precludes the  
14 Committee from sharing Committee record with a witness the  
15 Committee staff is interviewing in a voluntary interview?

16 MR. FOLIO: We certainly are able to show witnesses  
17 documents as we are showing you and Ms. Zentos documents  
18 now. However, Chairman Grassley and Chairman Johnson have  
19 the practice of not sharing documents with witnesses ahead  
20 of time. Furthermore, because we're able to do it  
21 virtually, we think that is more than sufficient at this  
22 point. We take these steps to protect the integrity and  
23 confidentiality of our investigations, and it's probably a  
24 better conversation for another time. But we've had a  
25 number of concrete examples where the integrity of the

1 investigation here has been threatened, if not actually  
2 undermined, by leaks of information, which is part of the  
3 reason we asked for mutual confidentiality at the beginning  
4 of the interview.

5 MR. LEVY: We have no interest in leaking anything. We  
6 just want to have fairness for the witness, and what I'm  
7 hearing from you is that you're relying on a practice, not a  
8 rule, as the justification for not providing us with a copy  
9 of the document. Is that right?

10 MR. FOLIO: It's both. I mean, it's grounded in the  
11 rule about the confidentiality of Committee records, and  
12 there are different ways to interpret that rule I'm sure you  
13 can appreciate, Josh.

14 Now, Josh, the second page is up. Are you and Ms.  
15 Zentos reading the second page? Just let us know when  
16 you're ready, and we're happy to scroll to the first page.

17 MR. LEVY: Can you make it bigger?

18 MR. FOLIO: Yes, we can.

19 MR. LEVY: That's better. Thank you.

20 [Pause.]

21 MR. LEVY: Okay. Let me see the first one. Can you  
22 show us the first page now?

23 MR. FOLIO: Yes.

24 [Pause.]

25 MR. LEVY: Okay.

1 MR. FOLIO: So the question, Ms. Zentos, was: Are you  
2 familiar with Burisma Holdings?

3 MS. ZENTOS: I recall learning--reading about Burisma  
4 last year when this topic came up in the news. I do not  
5 recall seeing this press release, either when it came out or  
6 since until now.

7 MR. FOLIO: During your time in national security  
8 staff, were you familiar with the Ukrainian company Burisma  
9 Holdings?

10 MS. ZENTOS: I do not recall when I learned about  
11 Burisma Holdings, and I don't recall honestly--I don't  
12 recall if I learned about it during--when I was at the  
13 National Security Council or not. It may have--a news  
14 article may have come across my desk. I may have seen it.  
15 I don't recall. I recall last year, when reading this in  
16 the news, googling Burisma.

17 MR. FOLIO: During your time on National Security  
18 Council staff, are you aware of what the official U.S.  
19 Government position towards Burisma was?

20 MS. ZENTOS: No, I'm not aware of any U.S. Government  
21 position towards Burisma.

22 MR. FOLIO: Were you aware that it was the U.S.  
23 Government, and particularly the folks working at the U.S.  
24 Embassy in Ukraine, it was their position that Burisma and  
25 its owner, Mykola Zlochevsky, were viewed as corrupt?

1 MS. ZENTOS: I don't recall being aware of that sitting  
2 here today, no.

3 MS. ZENTOS: Were you aware whether Burisma or its  
4 owner, Mr. Zlochevsky, was under criminal investigation?

5 MS. ZENTOS: I do not recall being aware of that.  
6 Again, I was focused on an ongoing war in Ukraine. There  
7 were a lot of priorities, and there were many people, other  
8 people who were looking at issues like energy or like  
9 corruption. I don't recall, no.

10 MR. FOLIO: According to public reports, Burisma had  
11 signed an agreement with USAID's Municipal Energy Reform  
12 Project in the Ukraine in October 2014. Were you aware of  
13 this agreement?

14 MS. ZENTOS: I do not recall being aware of this  
15 agreement.

16 MR. FOLIO: Were you aware of USAID's Municipal Energy  
17 Reform Project in Ukraine?

18 MS. ZENTOS: I'm not--I can't recall for sure sitting  
19 here today. I may have been aware of it at the time, but  
20 there were many USAID programs in Ukraine. It was the  
21 largest--is the largest recipient, as far as I know, of U.S.  
22 assistance. I can't say for sure.

23 MR. DOWNEY: Hey, Joe, could I just ask one follow-up  
24 question?

25 MR. FOLIO: Yes, and then I have a concluding comment

1 before we turn it over to the minority. Go ahead, Brian.

2 MR. DOWNEY: Ms. Zentos, just for clarity, I think we  
3 asked regarding your knowledge of Burisma Holdings during  
4 your time on the National Security Council. As you  
5 mentioned earlier in this interview, you were posted in  
6 Ukraine I believe in 2014, if I'm correct. Is that correct?

7 MS. ZENTOS: I departed Ukraine in 2014, so for part of  
8 2014 I was posted to Ukraine.

9 MR. DOWNEY: Okay. So during that time frame posted  
10 in-country, did the topic of Burisma Holdings come up during  
11 your time at the embassy?

12 MS. ZENTOS: Not that I'm aware of or that I recall. I  
13 was the political, military, and external relations officer,  
14 so those were the issues I was focused on. And I do not  
15 recall Burisma coming up while I was there--not in any  
16 meeting that I was at, not in anything that I'm aware of  
17 personally.

18 MR. DOWNEY: During that time in-country, were you  
19 aware of press reports of the legal trouble that Burisma  
20 Holdings found themselves in during 2014?

21 MS. ZENTOS: I do not recall being aware of that. You  
22 know, just to put it in perspective, there had been a  
23 revolution with violence on the streets, including on my  
24 street, annexation of Crimea, and invasion of the country.  
25 So I don't remember--I don't recall learning that.

1 MR. DOWNEY: Do you recall when you were in-country who  
2 would handle sort of the corruption law enforcement  
3 functions for the U.S. Government? So who would be the  
4 people in the embassy who might handle these issues?

5 MR. SCHRAM: Brian, I'm sorry to interrupt. This  
6 sounds like a whole line of questioning and you're over the  
7 hour.

8 MR. DOWNEY: Well, I'm just--I'll finish up right now.

9 MR. SCHRAM: Okay.

10 MS. ZENTOS: I mean, I can just say that--

11 MR. LEVY: Brian, finish your question.

12 MR. DOWNEY: So I just wanted some clarity if Ms.  
13 Zentos--this wouldn't fall in her portfolio while she was  
14 in-country in Ukraine, who would be that proper individual  
15 at the U.S. Embassy that would keep track of, you know, the  
16 Burisma Holdings legal troubles, knowing that they're a huge  
17 natural gas producer in-country?

18 MR. LEVY: At that point in time?

19 MR. DOWNEY: In 2014 when Ms. Zentos was in Ukraine.

20 MS. ZENTOS: I'm not aware of if they were a huge  
21 producer of natural gas. Again, I don't recall them ever  
22 coming up. There was a person in the economics section who  
23 covered energy. There is a person in the economics section  
24 who covered corruption. We have an international narcotics  
25 and law enforcement person at the embassy. There's a front

1 office at any embassy that will cover a host of issues. And  
2 so depending on what aspect you're talking about, one of  
3 those people may have covered issues. But, again, I am  
4 unaware of Burisma ever coming up. I don't know if it did  
5 come up at the embassy, but as far as any communications I'm  
6 aware of, it didn't come up.

7 MR. DOWNEY: Okay. Thank you. Joe?

8 MR. FOLIO: And just to wrap up, before turning to the  
9 minority, I'm just going to enter into the record Exhibit 2,  
10 which is the April 30, 2020, letter from Chairman Johnson  
11 and Chairman Grassley to the State Department, a follow-up  
12 on their November letter. For the record, at the beginning,  
13 in the first paragraph, it says that the Chairmen are  
14 examining potential conflicts of interest relating to the  
15 Obama administration's policy decisions with respect to  
16 Ukraine and Burisma Holdings.

17 [Zentos Exhibit No. 2 was  
18 marked for identification.]

19 MR. FOLIO: And I'll make Exhibit 3 the November 6,  
20 2019, letter, which is the initial request to the State  
21 Department from Chairman Johnson and Chairman Grassley,  
22 again, the investigation focusing on conflicts of interest  
23 with regard to the development of U.S. policy towards  
24 Ukraine.

25 [Zentos Exhibit No. 3 was

1 marked for identification.]

2 MR. FOLIO: Zack?

3 MR. SCHRAM: So is this--are we taking a break at this  
4 point? Sorry, Josh?

5 MR. LEVY: Yeah, I think the water has gotten to us.  
6 If we could take a bathroom break, that would be great.

7 MR. SCHRAM: It's 11:30 now. Can we say we'll go back  
8 on the record at 11:40?

9 MR. LEVY: Perfect.

10 MR. SCHRAM: Joe, that's okay with you?

11 MR. FOLIO: Yes, sir.

12 MR. SCHRAM: Okay.

13 [Recess.]

14 MR. SCHRAM: Let's go back on the record.

15 Ms. Zentos, again I'd like to begin by expressing our  
16 gratitude to our Foreign Service officers generally and to  
17 you specifically for the risks that you take on behalf of  
18 this country. I'd like to spend a few minutes getting a bit  
19 more into your background. What motivated you to join the  
20 Foreign Service?

21 MS. ZENTOS: I was motivated to join the Foreign  
22 Service because I liked the idea of serving my country and  
23 serving my Government. I was also interested in foreign  
24 affairs and its intersection with national security, and so  
25 I decided to take the Foreign Service exam.

1 MR. SCHRAM: You testified previously that from 2009 to  
2 2011 you were a political officer on the Ukraine desk at the  
3 State Department?

4 MS. ZENTOS: Correct.

5 MR. SCHRAM: Can you just say a little bit more about  
6 your roles and responsibilities there?

7 MS. ZENTOS: Sure. As the Ukraine desk officer, part  
8 of my responsibilities were to read cables that the embassy  
9 sent to Washington, to help our embassy in Kyiv, for  
10 example, if they were overloaded with doing congressional  
11 reporting--not that there's too much congressional  
12 reporting. You know, we might help them from the desk. We  
13 might be in touch with the agency or the office that they  
14 wanted to deal with. We kept up on the news on what was  
15 happening in Ukraine, that sort of thing.

16 MR. SCHRAM: So with respect--you mentioned  
17 congressional reporting. Does a desk officer have a role in  
18 helping principals prepare to communicate policy to  
19 Congress?

20 MS. ZENTOS: It would depend on the principal. It's  
21 possible that if someone from the Department of State or  
22 even from another agency was going to testify to Congress,  
23 we might help collect information or review a draft. It  
24 would depend on the situation.

25 MR. SCHRAM: Understood. Then you said in 2012 you

1 went to Kyiv?

2 MS. ZENTOS: Yes.

3 MR. SCHRAM: And you're a political, military affairs  
4 officer. Is that the correct position?

5 MS. ZENTOS: Yes. I was--sorry.

6 MR. SCHRAM: No. Go ahead.

7 MS. ZENTOS: Just to clarify, the full title was  
8 political, military, and external affairs unit chief.

9 MR. SCHRAM: Great. And can you tell us a little bit  
10 more about your responsibilities in that role?

11 MS. ZENTOS: Yes. I focused mainly on political,  
12 military, defense relationship issues, arms control, and  
13 nonproliferation issues. This would include disposal of old  
14 Soviet weaponry, provision of U.S. assistance to the defense  
15 forces, and Ukraine's relationship with NATO, among other  
16 issues.

17 MR. SCHRAM: We spent time in the majority's round  
18 talking about your work at the National Security Council.  
19 Can you just explain generally the role of the National  
20 Security Council in the interagency process?

21 MS. ZENTOS: Sure. The role of the National Security  
22 Council, as I understand it, is largely to help ensure that  
23 there is coordination occurring between agencies of the U.S.  
24 Government. Again, when I was there, I don't have any  
25 recollection of the topics of Burisma or Hunter Biden coming

1 up in any of my work dealings.

2 MR. SCHRAM: And does NSC have a role informing or  
3 helping principals inform Congress of policy on matters in  
4 its purview?

5 MR. LEVY: Then or now?

6 MR. SCHRAM: Then.

7 MS. ZENTOS: I think in any--it's possible any matters  
8 related to Congress could come through the NSC, could come  
9 across the desk of an NSC employee. But, again, you know,  
10 as far as this relates to Hunter Biden or Burisma, I have no  
11 recollection of those topics coming up in any of my work  
12 dealings.

13 MR. SCHRAM: So then in 2017, you became the external  
14 affairs chief in Moscow. Is that correct?

15 MS. ZENTOS: Yes, I was the external affairs chief in  
16 the political section at U.S. Embassy Moscow.

17 MR. SCHRAM: And what were your responsibilities  
18 generally in that role?

19 MS. ZENTOS: In that role I oversaw the embassy's work  
20 on Russia's external relations and its--and political-  
21 military issues. Shortly after I arrived, the Russian  
22 Government forced a significant cut in U.S. Embassy staff,  
23 so I attempted to provide Washington--meet Washington's  
24 desire for information with a cut of my staff of 60 percent.

25 MR. SCHRAM: And was one of your responsibilities in

1 that role to understand Russian malign influence efforts in  
2 Europe?

3 MS. ZENTOS: Certainly that could have fallen within my  
4 portfolio. I will say that at the time my recollection is  
5 that much of our focus was on what was happening between  
6 Russia and China, between Russia and Afghanistan, what  
7 Russia was doing with Iran, certainly Russia and North  
8 Korea. So those were--and Russia and Ukraine.

9 MR. SCHRAM: And at that time what was happening with  
10 respect to Russia and Ukraine?

11 MS. ZENTOS: At that time negotiations were ongoing as  
12 part of the Minsk process to attempt to end the fighting,  
13 but, nonetheless, the Russians were continuing to pursue  
14 aggressive measures in Eastern Ukraine, and there was  
15 ongoing active fighting in Eastern Ukraine.

16 MR. SCHRAM: And then you mentioned in 2018 you were  
17 declared persona non grata by the Russian Government and  
18 forced to leave the country. Can you tell us a little bit  
19 more about that?

20 MS. ZENTOS: Yes. After the poisoning of Skripal in  
21 the United Kingdom, there was a tit-for-tat expulsion where  
22 the U.S. Government expelled Russian Government employees  
23 from the United States and Russia in turn expelled 50 U.S.  
24 diplomats from the country.

25 MR. SCHRAM: I imagine that's an unpleasant experience.

1 MS. ZENTOS: That was a challenging experience. We  
2 were given only several days to finish up all loose ends and  
3 get out of the country with no onward assignment or place to  
4 live.

5 MR. SCHRAM: So returning for a moment to your time in  
6 Kyiv, you said that battles came to your street, if I  
7 understand correctly your earlier testimony?

8 MS. ZENTOS: During the Maidan revolution, there were  
9 what is called "Titushky" or sort of government-hired thugs  
10 who were basically active on the streets of Kyiv, including  
11 on my street, yes.

12 MR. SCHRAM: Did that create a personal risk to you?

13 MS. ZENTOS: Yes, I can say there was at least one  
14 evening where I saw the armed thugs outside moving--carrying  
15 cars and pushing them around, and I felt concerned for my  
16 safety.

17 MR. SCHRAM: And who paid for those thugs?

18 MS. ZENTOS: Well, my understanding is that they were  
19 hired by the Janukovych government. They were Party of  
20 Regions-paid thugs.

21 MR. SCHRAM: And that was a Russian-backed government?

22 MS. ZENTOS: That was a government that certainly had  
23 close relations with the Russian Government.

24 MR. SCHRAM: Turning now again to your time at the NSC,  
25 you've spoken frequently over the last hour about being

1 focused on other matters, matters not related to Burisma or  
2 Hunter Biden. What had your attention at that time in that  
3 role?

4 MS. ZENTOS: At that time in that role, I was focused  
5 on the ongoing fighting that was happening in Eastern  
6 Ukraine, whether the Russians were going to attempt to push  
7 further into Ukrainian territory. I was also focused on  
8 what types of defensive military equipment would be most  
9 useful to the Ukrainian military in its efforts to defend  
10 its territorial integrity.

11 MR. SCHRAM: And did your responsibility include  
12 understanding Russian disinformation efforts, whether in the  
13 Ukraine or related to their invasion of Ukraine?

14 MS. ZENTOS: Again, my focus was mainly on the ongoing  
15 fighting. There were many people in the NSC and throughout  
16 the U.S. Government who were focused on misinformation and  
17 disinformation. There was then a separate Russia and  
18 Central Asia Directorate within the NSC also.

19 MR. SCHRAM: Just a moment, please.

20 [Pause.]

21 MR. SCHRAM: That's all we have this round.

22 MR. FOLIO: Ms. Zentos or Josh, would you like a break,  
23 or are you happy to continue?

24 MR. LEVY: Are you okay?

25 MS. ZENTOS: I'm okay.

1 MR. LEVY: All right. We can stay on the record.

2 MR. FOLIO: Okay.

3 MR. LEVY: Unless you need a break.

4 MR. FOLIO: I think we're good, thanks. I'm looking  
5 around the room. We're good. So I'll just note for the  
6 record that it's 11:54, and the majority will start its  
7 second round.

8 Ms. Zentos, during this time at the National Security  
9 Council staff, were you aware of Hunter Biden's role on  
10 Burisma's board of directors?

11 MR. LEVY: Can you repeat the question? The end of it  
12 got lost.

13 MR. FOLIO: Sure. During your time at National  
14 Security Council staff, were you aware of Hunter Biden's  
15 role on Burisma's board of directors?

16 MS. ZENTOS: I don't recall when I learned, if I  
17 learned when I was at the National Security Council or not.  
18 What I can again reiterate is that I don't have any  
19 recollection of either topic, Burisma or Hunter Biden,  
20 coming up in any of my work while at the National Security  
21 Council.

22 MR. FOLIO: So aside from your work at the National  
23 Security Council, did it come up in any other setting?

24 MS. ZENTOS: So--

25 MR. LEVY: Outside of work?

1 MR. FOLIO: She's saying her work at the National  
2 Security Council.

3 MR. LEVY: Right, so in a different position in the  
4 Government.

5 MR. FOLIO: Sure.

6 MR. LEVY: State Department meeting.

7 MS. ZENTOS: No, I don't recall any--I don't recall any  
8 of my work for the U.S. government dealing with any  
9 communications or meetings related to Hunter Biden or  
10 Burisma.

11 MR. FOLIO: You never casually discussed it with a  
12 colleague?

13 MS. ZENTOS: I--

14 MR. LEVY: I think you're here to ask her about  
15 official Government business, right? That's what the  
16 function of oversight is. She said Government meetings and  
17 email, she has no recollection of either Burisma or Hunter  
18 Biden coming up in that course of business.

19 MR. FOLIO: Right. Well, everyone knows that  
20 Government business isn't limited to formal meetings and  
21 phone calls, and conversations with colleagues, especially  
22 when those colleagues work on the same issues with you, that  
23 counts as work, which is why they're governed by ethics  
24 rules, among other restrictions. So the question is, in  
25 that context, did you ever speak with your colleagues of

1 Hunter Biden's position on the board of Burisma?

2 MS. ZENTOS: I don't recall. I don't recall doing so.  
3 I can't say for sure, again, what came across my desk in the  
4 news. I can't say for certain if I, you know, ever  
5 mentioned something. I don't recall any specific discussion  
6 of Hunter Biden or Burisma while I was at the NSC.

7 MR. FOLIO: Do you remember I asked if you were aware  
8 of his position on the board of Burisma during your time at  
9 National Security Council staff, you said you were aware of  
10 it, but you weren't sure when? Are you able to know the  
11 time frame?

12 MR. LEVY: I think it's helpful not to characterize the  
13 witness' testimony. It should speak for itself. If you  
14 could just ask a question, then she can answer it, that  
15 would be--

16 MR. FOLIO: Sure. Are you aware of Hunter Biden's role  
17 on the board of directors of Burisma?

18 MR. LEVY: Is she aware now?

19 MR. FOLIO: Yes.

20 MS. ZENTOS: I'm aware now, yes. I have read it in the  
21 news, yes.

22 MR. FOLIO: When did you first become aware?

23 MS. ZENTOS: I do not remember when I first became  
24 aware. Again, I remember reading it in the news last year  
25 and needing to google what Burisma was. I do not recall for

1 certain if I knew what Burisma was while I was at the NSC 4-  
2 1/2 years ago or not. It was certainly not a major topic  
3 or, as far as I call, a topic of any work that I did.

4 MR. FOLIO: When you googled Burisma about a year ago,  
5 is that the first time that you heard that Hunter Biden  
6 served on the board, or was that merely sparking your  
7 recollection?

8 MS. ZENTOS: I do not recall--again, I do not recall  
9 for sure if I knew when I was at the NSC or not. It is  
10 possible that I'd read a news article, saw it, scanned a  
11 news article headline. I don't recall. But, again, it is  
12 not a topic I worked on, not a topic that I can recall I had  
13 any conversation about.

14 MR. FOLIO: On December 8, 2015, James Risen wrote an  
15 article in the New York Times titled, "Joe Biden, His Son,  
16 and the Case Against a Ukrainian Oligarch." We're going to  
17 enter this as Exhibit 4, and I'll ask Will to pull it up on  
18 the screen.

19 [Zentos Exhibit No. 4 was  
20 marked for identification.]

21 MR. LEVY: Can you send us a copy of that article?

22 MR. FOLIO: We can send you a copy.

23 MR. LEVY: Thank you.

24 MR. FOLIO: My question is: Did you read this article?  
25 And as before, just let Will know when you're done.

1 [Pause.]

2 MR. LEVY: Can you scroll down so we can see the rest  
3 of it, please?

4 MR. FOLIO: Sure. The next part.

5 [Pause.]

6 MR. LEVY: Joe, you said you were going to send this to  
7 us as well?

8 MR. FOLIO: We can do that.

9 MR. LEVY: Are you sending it to us?

10 MR. FOLIO: Oh, you're asking us to do that right now?

11 MR. LEVY: Yeah.

12 MR. FOLIO: I think we are hopeful that we can proceed  
13 with the document on the screen. I'm happy to send them to  
14 you during a break.

15 MR. LEVY: Well, the purpose of giving them to us now  
16 would be so that the witness can review them before your  
17 asking questions about them.

18 MR. FOLIO: That's what we're giving you and the  
19 witness time to do right now, to review on the screen.

20 MR. LEVY: Well, I'd just like to note that that is not  
21 the fairest way to proceed.

22 MR. FOLIO: Do you need more time?

23 MR. LEVY: Can you scroll down and let us see the rest  
24 of the article, please?

25 MR. FOLIO: Of course.

1 [Pause.]

2 MR. LEVY: Joe, I just want to note that under normal  
3 circumstances where Committees are being fair to a witness,  
4 the document's in front of the witness so that the witness  
5 can refer to the entirety of the document while the  
6 questioner is asking questions. The witness is being  
7 deprived of that opportunity here. And you can proceed, but  
8 I just want to note this is not fair to the witness.

9 MR. FOLIO: No, I understand but--

10 MR. LEVY: This is just not a fair process in this  
11 respect.

12 MR. FOLIO: I understand the desire, Josh.  
13 Unfortunately, these are not typical circumstances. We're  
14 doing the best we can in these virtual settings. As I told  
15 you several times in email, we're happy to give you and Ms.  
16 Zentos ample time to review the documents. So just let us  
17 know. Again, happy to take breaks, happy to show you the  
18 document, whatever page you need, just let us know. It's  
19 slightly more convenient. I don't understand how it's  
20 unfair. You still have the opportunity to review the  
21 document. Take all the time you need. Confer with your  
22 client if necessary.

23 MR. LEVY: Well, it frustrates quite a bit the ability  
24 to look through a document on our own without having to ask  
25 the Committee that's asking questions about it to turn to

1 different pages of it as the witness is trying to process  
2 the information and process the questions. The one thing we  
3 have asked for you are not doing, which is just sending us a  
4 copy of the email--or the article by email, and you've made  
5 your position clear, and I'm just stating that that's not  
6 fair. But we'll continue, and you can proceed and ask a  
7 question.

8 MR. SCHRAM: I'll note also that it's hard for us to  
9 follow along. Joe, do you have a series of publicly  
10 available documents that you plan to refer to? Can you just  
11 provide them all to us now so we can see it at once?

12 MR. FOLIO: I think we have a series of publicly  
13 available documents. I think it was just two. The  
14 documents have come up as circumstances have warranted, such  
15 as the prior letters from the Chairmen. But I think you can  
16 find this document fairly easily on Google since it's a New  
17 York Times article.

18 MR. LEVY: I've never been in an interview or  
19 deposition where a lawyer said, "Please Google the exhibit  
20 I'm about to show your client." If you could just send us  
21 the documents, particularly if there's no concern about  
22 confidentiality as to those specific documents, can you just  
23 send them to everybody on this call right now?

24 MR. FOLIO: How many interviews have you participated  
25 in during a pandemic?

1 MR. LEVY: That's privileged, but the--

2 MR. FOLIO: Classified?

3 MR. LEVY: Joe, we're all trying to balance a lot of  
4 equities here, and I think there's a very simple solution  
5 here. If you can send us whatever newspaper articles or  
6 news media articles that you're going to ask the witness  
7 about, I think it's an effective way to proceed. And it's  
8 not compromising the integrity of any investigation or any  
9 classified issues or Committee confidentiality issues. It  
10 seems very reasonable. It sounds like the minority has made  
11 the same request.

12 MR. FOLIO: Josh, we can take a break and get off this  
13 system to email you a copy of the New York Times article if  
14 that's what you want so you can scroll through on your phone  
15 or computer. Is that what you're asking us to do?

16 MR. LEVY: That and the other document--and any other  
17 document you want to show her today, but yes.

18 MR. FOLIO: Okay. We'll take a break, and we can send  
19 you the publicly available documents. I don't think we'll  
20 have to take a formal break, but hold on one second.

21 MR. LEVY: Thank you.

22 MR. FOLIO: We'll stop the clock.

23 [Pause.]

24 MR. FOLIO: Josh, this is Joe. We just sent the email  
25 to you and to staff for Ranking Members Peters and Wyden.

1 MR. LEVY: Yeah.

2 [Pause.]

3 MR. FOLIO: Ms. Zentos, have you had an opportunity to  
4 read that New York Times article?

5 MS. ZENTOS: Yes, I have.

6 MR. FOLIO: Were you aware of this article during your  
7 time in the National Security Council staff?

8 MS. ZENTOS: I do not recall reading it. It's possible  
9 I saw it. I don't recall today.

10 MR. FOLIO: What's your impression of the article?

11 MR. LEVY: What do you mean by that?

12 MR. FOLIO: What does she think about it?

13 MS. ZENTOS: I think that there is--I mean, I think  
14 that--I would like to point out that at the time there were  
15 articles in every major newspaper about Ukraine, you know,  
16 almost every day. So as far as whether I read it or not, I  
17 think that's important to the context to show that I read a  
18 lot of articles about Ukraine.

19 MR. FOLIO: Sure.

20 MS. ZENTOS: I just don't remember if I read this. As  
21 far as the content, I don't recall discussing it. I don't  
22 recall having any work dealings, work or otherwise, related  
23 to it. And I don't recall discussing obviously Burisma or  
24 Hunter Biden during my time as a U.S. Government employee  
25 during my work in work settings and work communications and

1 officials settings while I was at the NSC.

2 MR. FOLIO: Would it have been relevant to your work on  
3 the National Security Council as the Council's Director for  
4 Eastern Europe to know that one of the issues on Vice  
5 President Biden's agenda with Ukraine, aggressive fight  
6 against rampant corruption, was potentially being undermined  
7 by the association of his son with one of Ukraine's largest  
8 natural gas companies, Burisma Holdings?

9 MS. ZENTOS: First, I don't know if the way that you  
10 describe it is correct or not. I don't have any personal  
11 knowledge of this situation. Would it be relevant? There  
12 were many people working on Ukraine at the NSC, and the Vice  
13 President had his own staff. Again, I was focused on doing  
14 my job, which was to help ensure the U.S. Government was  
15 playing what role it could in stopping the killing of  
16 Ukrainian soldiers and civilians. And so I would assume  
17 that my colleagues were doing their job, and I had no reason  
18 to think they were not.

19 MR. FOLIO: So to be clear, my characterization there  
20 was--I was just reading from the first and second paragraphs  
21 of the New York Times article.

22 MS. ZENTOS: Okay.

23 MR. FOLIO: I want to clarify my question. So my  
24 question is--you do not recall whether or when you read this  
25 article. So my question is, generally, is this the type of

1 information that would have been relevant to your work on  
2 the National Security Council staff as the Director of  
3 Eastern European Affairs?

4 MR. LEVY: She answered the question.

5 MS. ZENTOS: Not necessarily. It would not be--you  
6 know, I had a focus of my work, which was the ongoing  
7 conflict. I would assume that my colleagues would do their  
8 jobs. I had no reason to doubt they were not.

9 MR. FOLIO: So you're saying you had colleagues who  
10 were more focused on the anticorruption issues in Ukraine  
11 than you were?

12 MS. ZENTOS: Yes, I had colleagues who were more  
13 focused on anticorruption in Ukraine than I was, and I had  
14 colleagues who worked for the Office of the Vice President,  
15 and there were lawyers at the Office of the Vice President  
16 and the NSC.

17 MR. FOLIO: So who were your National Security Council  
18 staff colleagues who were more focused on anticorruption  
19 issues with regard to Ukraine?

20 MS. ZENTOS: Again, I do not want to get into names.  
21 With all of these people, I recall no discussion, having no  
22 discussion in my role as an NSC staffer of Hunter Biden or  
23 Burisma.

24 MR. FOLIO: Again, to be clear, you're refusing to  
25 answer the question when we asked you to identify the

1 individuals on National Security Council staff who you said  
2 primarily focused on anticorruption issues in Ukraine?

3 MR. LEVY: She's declining to answer the question in a  
4 voluntary interview, yes.

5 MR. FOLIO: About five paragraphs down in the New York  
6 Times article, it references that Ambassador Pyatt called  
7 out Burisma's owner by name in a September 2015 speech.  
8 During your time on the National Security Council staff,  
9 were you aware of that speech by Ambassador Pyatt?

10 MS. ZENTOS: I don't recall. The NSC did not have to  
11 review all speeches by ambassadors. I don't recall this  
12 speech. But it's possible that I heard about it at the  
13 time, that I read about it at the time.

14 MR. FOLIO: Was it significant that the U.S. Ambassador  
15 to Ukraine called out a private company by name in a speech  
16 and identified them as being corrupt?

17 MS. ZENTOS: There was a lot of corruption in Ukraine.  
18 I'm sure that the embassy in Ukraine, you know, knows of  
19 many, many, many corrupt individuals and companies. So I do  
20 not find it particularly unusual that a specific company--  
21 that the embassy noted a specific company that as corrupt.

22 MR. FOLIO: Is there a different level of significance  
23 when the U.S. Ambassador identifies particular companies in  
24 a speech as opposed to when the U.S. Government may strike a  
25 policy with regard to a company, et cetera? Does that

1 matter from a diplomatic perspective?

2 MS. ZENTOS: I'm sorry. Could you repeat the question?

3 Apologies.

4 MR. FOLIO: Sure. Recognizing that there are different

5 ways the U.S. Government can choose to address a

6 hypothetically corrupt company, does it make a difference,

7 is it more significant that the U.S. Ambassador chooses to

8 call out the company as corrupt in a public speech?

9 MS. ZENTOS: Probably, but it would depend on the exact

10 situation and facts, but probably.

11 MR. FOLIO: And to my prior question, so in the Ukraine

12 context, was it typical for the U.S. Government, Ambassador

13 to Ukraine in particular, to call out specific companies as

14 being corrupt in public statements?

15 MS. ZENTOS: I--I don't know. I definitely--you know,

16 Ambassador Pyatt and others in the U.S. Government at this

17 time made many speeches, made many public comments about

18 Ukraine. This was a subject that was front and center

19 because of the ongoing war there. Was it typical to call

20 out companies? I wouldn't say typical. Were companies and

21 individuals called out? I don't remember specifics, but I

22 would not be surprised if they were.

23 MR. FOLIO: You previously said you had other

24 colleagues, National Security Council staff that focused on

25 corruption, but you also mentioned that there were folks

1 from the Vice President's staff who focused on corruption  
2 issues in Ukraine. Who were those folks?

3 MS. ZENTOS: They were not anyone with whom I had any  
4 work related to Burisma or Hunter Biden. Again, I'm not  
5 going to get into names.

6 MR. FOLIO: We'll just take that as you again declining  
7 to answer.

8 To your statement with regard to your conversations at  
9 work, whether in official meetings or in conversations with  
10 colleagues, did you ever in those circumstances discuss  
11 Hunter Biden's role on Burisma's board?

12 MS. ZENTOS: I do not recall ever in any work situation  
13 discussing Hunter Biden's role in Burisma and any work  
14 meeting or communication. It is possible that the topic  
15 came up in a side conversation at some point. I don't  
16 recall. I don't recall that happening. I don't recall.  
17 This was not an issue that was front and center for me.

18 MR. FOLIO: Were you aware of any U.S. Government  
19 official expressing concern about Hunter Biden's position on  
20 Burisma's board?

21 MS. ZENTOS: I don't recall being aware of that, no.

22 MR. FOLIO: So from your experience, you don't recall.  
23 You said it wasn't front and center. Why do you think that  
24 no one seemed to be focused on the issue of Hunter Biden  
25 taking a position on the board of Burisma?

1 MR. LEVY: She didn't say that. That wasn't her  
2 testimony.

3 MR. FOLIO: Okay. Please clarify.

4 MR. LEVY: She didn't have a personal recollection of  
5 Burisma or Hunter Biden coming up in her Government  
6 business. It's not to say that it came up in other people's  
7 work. She's said that before. If you want to ask her a  
8 question, go ahead.

9 MR. FOLIO: So why do you think that in your position  
10 as Director for Eastern Europe on the National Security  
11 Council staff that this did not come up as an issue?

12 MR. LEVY: For you.

13 MS. ZENTOS: For me. I was--I was busy, very busy  
14 following, again, a war in Europe, following what was  
15 happening in that armed conflict, providing information  
16 about what was happening, gathering information about what  
17 was happening in that armed conflict, discussing with our  
18 partners how to try to stop that conflict that was ongoing.  
19 As a director-level person at the National Security Council,  
20 that was my focus. There's a war in Europe, and I'm going  
21 to try to help the U.S. Government to try to put an end to  
22 that fighting and protect the important concept of  
23 territorial integrity. And so that's what I worked on.  
24 There were a lot of people at the NSC, a lot of people at  
25 OVP, and I assumed they were doing their jobs.

1 MR. FOLIO: Did any Ukrainian official ever raise  
2 Hunter Biden's board position with Burisma to you?

3 MS. ZENTOS: I do not recall any Ukrainian official  
4 raising Hunter Biden or Burisma with me, no.

5 MR. FOLIO: Did any other foreign official raise Hunter  
6 Biden's position on Burisma with you?

7 MS. ZENTOS: I do not recall any foreign official  
8 raising Hunter Biden or Burisma with me, no.

9 MR. FOLIO: Are you aware of whether that issue was  
10 ever raised by any Ukrainian official with any of your  
11 colleagues?

12 MS. ZENTOS: I am not aware of whether it was raised  
13 with any colleague, no.

14 MR. FOLIO: And same question, are you aware of whether  
15 any other foreign official raised that issue with any of  
16 your colleagues?

17 MS. ZENTOS: I am not aware whether any foreign  
18 official raised that issue with my colleagues, no.

19 MR. FOLIO: So from an international relations,  
20 national security perspective, what does it mean when a  
21 foreign company hires a relative of a prominent U.S.  
22 politician? How is that viewed?

23 MS. ZENTOS: By whom?

24 MR. FOLIO: I said from an international perspective.  
25 I'm happy to have you parse that as you will. You can start

1 with from a Ukrainian perspective. How would that be  
2 viewed?

3 MR. LEVY: I'm still not clear on the question, Joe.  
4 Forgive me. Can you clarify, please?

5 MR. FOLIO: Sure. We'll just start with Ukraine. So  
6 from the perspective of Ukraine, whether the Ukrainian  
7 Government or Ukrainian nationals, what would it mean to  
8 them when a Ukrainian firm hire a relative of a prominent  
9 U.S. politician?

10 MR. LEVY: I think you would have to ask them.

11 MR. FOLIO: Well, no, I'm asking Ms. Zentos because,  
12 you know, in her position, it's her job and responsibility  
13 to understand foreign governance so she can understand how  
14 they think and advise on U.S. foreign policy. So I'm asking  
15 from her perspective--she seems to be an expert on Ukraine--  
16 how would a Ukrainian, whether a government official or  
17 person on the street, view Burisma's decision to put the son  
18 of a prominent U.S. politician on the board of directors.

19 MR. LEVY: I just think it's hard to generalize, but go  
20 ahead.

21 MS. ZENTOS: I mean, I think it would very much depend  
22 on, yes, who the Ukrainian is that we are talking about. If  
23 you're asking, you know, what I think about that, again,  
24 Burisma was never an issue, as far as I recall, that crossed  
25 my desk. I was not working on it. It was not relevant as

1 far as I knew and know to my work. It was not something we  
2 were dealing with. So if there was an article in the New  
3 York Times about a company I hadn't heard of involving an  
4 issue I don't work on, that would not have been something I  
5 would have paid a lot of attention to, and I don't know how  
6 Ukrainians view it or if they knew about it.

7 MR. FOLIO: The question I'm asking is trying to get at  
8 the basic proposition that, you know, recognizing that  
9 different countries and people would view something a  
10 different way, I'm just trying to get a sense of, for  
11 example, if the U.S. Government was investigating a  
12 Ukrainian company and that Ukrainian company placed on its  
13 board a relative of a prominent U.S. politician, how would  
14 that be viewed in Ukraine?

15 MS. ZENTOS: I mean, I think really it depends on the  
16 facts of who is on it, what company is it, who is judging  
17 it. And, again, my focus was not on corruption. That was  
18 not the main focus of my portfolio. There were many people  
19 who were more focused on this issue, and my job was to focus  
20 on the big issue in my portfolio and to assume that people  
21 in the Office of the Vice President and other places are  
22 doing their jobs.

23 MR. FOLIO: I guess what I'm trying to understand is  
24 from a Ukrainian perspective, and possibly other  
25 international perspectives, recognizing that we had a lot of

1 international partners with our efforts in Ukraine, but  
2 starting with the Ukrainian perspective first, you know, is  
3 it something such that the mere placement of someone on a  
4 board is all that one needed to get the desired effect?

5 MS. ZENTOS: I don't know. I don't know.

6 MR. FOLIO: What if the U.S. Government was in a  
7 position to influence how that country, Ukraine in this  
8 instance, was going to administer its criminal  
9 investigations of that company? Would that matter?

10 MS. ZENTOS: Would that matter to--can you clarify?

11 MR. FOLIO: Sure. Again, from the perspective of the  
12 Ukrainian Government official or Ukrainian person on the  
13 street, what's the perception that that official or that  
14 person would have if the U.S. Government was in a position  
15 to influence how the Ukrainian Government was going to  
16 conduct a criminal investigation of a company and then that  
17 company chose to place a relative of a prominent U.S.  
18 politician on its board?

19 MR. LEVY: I think that question's hard to answer  
20 because you're asking her to generalize about the Ukrainian,  
21 I think your words were, "man on the street" and, I think,  
22 the Ukrainian Government official. There are many  
23 Ukrainians. There are many Ukrainian Government officials.  
24 And I'd just ask to you to be, if you could, just a little  
25 bit more specific in your question.

1 MR. FOLIO: Sure. So I'm just trying to come at it  
2 from the angle of in her position, right, as an expert on  
3 Ukraine, someone who is sitting in the chair of the Director  
4 of Eastern European Affairs, U.S. National Security Council  
5 staff 2015 and 2016, you know, drawing upon that expertise,  
6 what would that be viewed as?

7 MS. ZENTOS: I think--I would like to note that I think  
8 Ukrainians have a very different idea of--some Ukrainians  
9 have a different idea of corruption and of these issues than  
10 we do. So I am--you know, I can look at it from my  
11 perspective, but I really don't know how a Ukrainian would  
12 see it, and I'm not sure that that's what is most, you know,  
13 relevant here because an average Ukrainian probably pays  
14 bribes, right? So if we want to look at it from a U.S.  
15 Government perspective where we don't expect conflicts of  
16 interest and--just because I was the--just because I was the  
17 Director for Ukraine at the NSC does not mean I have the  
18 lead on every issue related to Ukraine.

19 MR. FOLIO: Do you think that the hiring of a relative  
20 of a prominent U.S. politician in a firm that's being  
21 investigated, do you think that has any effect on the  
22 investigation--

23 MS. ZENTOS: I--

24 MR. FOLIO: --of that firm?

25 MS. ZENTOS: I don't know. I think there could be

1 questions raised about such a situation. I was not the  
2 person who would have looked at that. I don't know if  
3 people were looking at that.

4 MR. FOLIO: You think such a hiring would give people  
5 confidence that the investigation was going to proceed with  
6 integrity?

7 MS. ZENTOS: I do not know. Again, I think there could  
8 be questions about this, about such a situation, but I am  
9 unaware--I don't recall any of the work interactions, the  
10 work meetings, the work communications that I had involving  
11 any discussion of Hunter Biden or Burisma.

12 MR. FOLIO: Did Hunter Biden's position on the board of  
13 Burisma ever affect your work?

14 MS. ZENTOS: Not that I am aware of, no.

15 MR. FOLIO: Did it ever complicate any policy matters  
16 that you worked on?

17 MS. ZENTOS: Not that I'm aware of, no.

18 MR. FOLIO: Did it ever make any policies more  
19 difficult to achieve?

20 MS. ZENTOS: Not that I'm aware of. I don't recall  
21 being--I don't recall whether I was even aware that this was  
22 the case, so no.

23 MR. FOLIO: Have you ever met Hunter Biden?

24 MS. ZENTOS: No.

25 MR. FOLIO: Based on public reporting, Vice President

1 Biden and Ukraine President Petro Poroshenko had numerous  
2 telephone calls. Did you ever join any of these phone  
3 calls?

4 MS. ZENTOS: You cut out--I'm sorry--in the middle of  
5 that. Would you mind repeating?

6 MR. FOLIO: Did you ever join a phone call between Vice  
7 President Biden and Ukraine President Petro Poroshenko?

8 MR. LEVY: She said that she has had no recollection of  
9 Burisma or Hunter Biden coming up in any work meetings that  
10 she was a part of, and on this question she's going to  
11 decline to answer it in this voluntary setting.

12 MR. FOLIO: Did you receive any briefings, official  
13 readouts or transcripts of phone calls between Vice  
14 President Biden and President Poroshenko?

15 MR. LEVY: She's not received any Government  
16 communications to her recollection that referenced Burisma  
17 or Hunter Biden, so with that in mind, she's going to  
18 decline to answer your question.

19 MR. FOLIO: One second.

20 MR. DOWNEY: Hey, Joe, real quick.

21 MR. FOLIO: Go ahead, Brian.

22 MR. DOWNEY: Ms. Zentos, you've told us that most of  
23 your work on the NSC was to monitor and help the Ukrainians  
24 fight the Russians in the war, in the conflict that was  
25 ongoing? Is that correct?

1 MS. ZENTOS: It was to help the Ukrainians defend their  
2 territory and their people from attacks from the Russians,  
3 yes.

4 MR. DOWNEY: So as part of that work, did you or other  
5 members of the NSC analyze or receive reports regarding  
6 whether major companies within Ukraine, who they supported,  
7 political party they supported or how they might have  
8 supported one side over the other? Did you do that analysis  
9 or--

10 MS. ZENTOS: I do not recall that being something we  
11 did, but regardless, I mean, I have no recollection of  
12 certainly Burisma or Hunter Biden being part of any work  
13 decisions or discussions.

14 MR. DOWNEY: So do you know through that work whether  
15 Burisma fell on one side or the other in the conflict, their  
16 owner?

17 MS. ZENTOS: I do not know.

18 MR. DOWNEY: Is that something that as a member of the  
19 NSC that would come up or you would receive reports about  
20 from in-country money flowing or public comments by a CEO of  
21 a major company in Ukraine?

22 MS. ZENTOS: I don't know. All I can say is that I  
23 have no recollection of Burisma ever coming up in any work  
24 context, or Hunter Biden.

25 MR. DOWNEY: Okay, because a lot of the oligarchs

1 within Ukraine apparently supported the Russians. So I was  
2 just trying to suss out whether the owner of Burisma fell on  
3 that side or on the other side, and if you examined that.

4 MR. LEVY: She answered the question. She didn't know.

5 MR. DOWNEY: She doesn't know?

6 MS. ZENTOS: I don't know. Again, I don't know that I  
7 was even aware of Burisma. I don't remember being aware of  
8 it. It was not an issue that fell into my portfolio or that  
9 I worked on. I don't know.

10 MR. DOWNEY: Okay. Thank you.

11 MR. FLYNN-BROWN: Given your experience with Ukraine  
12 matters, given Hunter Biden's--

13 MR. SCHRAM: Sorry to interject. We're getting a bad  
14 echo. If folks in the room with Josh could mute so that we  
15 don't get the echo. Also, Josh, I don't know if you're  
16 doing this on purpose, but we can't see your face, so it's  
17 just a disembodied voice asking questions.

18 MR. FLYNN-BROWN: Sorry. The camera's not working.

19 So with respect to my question, based on your  
20 experience and with respect to Hunter Biden being on the  
21 board of Burisma, his father was the public face of the  
22 Obama administration's Ukraine policy, does that create the  
23 appearance of a conflict of interest?

24 MS. ZENTOS: I do not have all of the facts of this  
25 situation. I don't recall I was aware of Burisma. I'm not

1 an expert on conflict of interest. and I don't feel placed  
2 to speculate to judge. I'm not an expert on it.

3 MR. FOLIO: Thank you, Ms. Zentos. We now would like  
4 to turn to a meeting in January 2016 with a delegation from  
5 Ukraine that you attended. Just a bit of background. From  
6 January 18 to January 23, 2016, a group of senior-level  
7 Ukrainian prosecutors attended a series of meetings with  
8 various U.S. Government officials here in Washington, D.C.  
9 You seem to have participated in at least one of these  
10 meetings on January 19, 2016, and I'm going to ask Will to  
11 post the agenda from the series of meetings, which we will  
12 label as Exhibit 5.

13 [Zentos Exhibit No. 5 was  
14 marked for identification.]

15 MR. LEVY: Can you send the document to us by email,  
16 please?

17 MR. FOLIO: No, Josh, we can't. This is a non-public  
18 record.

19 MR. LEVY: It's a Committee record that's being used  
20 for the interview. You still won't--you're refusing to send  
21 it to us so we can look at it.

22 MR. FOLIO: Correct. We're asking that you please give  
23 Ms. Zentos view it on the screen.

24 MS. ZENTOS: Would you mind making it larger?

25 MR. FOLIO: I think we learned that 150 is appropriate.

1 MR. LEVY: Can you scroll down?

2 [Pause.]

3 MS. ZENTOS: Would you mind scrolling down further?

4 MR. LEVY: I think you scrolled down too quickly.

5 Yeah, thanks.

6 [Pause.]

7 MS. ZENTOS: Okay. If you could scroll down more.

8 [Pause.]

9 MR. LEVY: Can you scroll down, please?

10 [Pause.]

11 MR. LEVY: Scroll down, please.

12 [Pause.]

13 MR. LEVY: Scroll down, please.

14 [Pause.]

15 MR. LEVY: I don't know if we missed something between  
16 pages 2 and 3. This is part of the problem with this  
17 process.

18 [Pause.]

19 MR. LEVY: Can you scroll up, please? Thank you.

20 Can you scroll to the very top of the document, please?

21 [Pause.]

22 MR. LEVY: Go ahead.

23 MR. FOLIO: Ms. Zentos, taking a look at the entire  
24 agenda, what was the purpose of these series of meetings  
25 with the Ukrainian delegation?

1 MS. ZENTOS: I did not set up this visit. I did not  
2 draft that schedule. I could not speak to that. But I can  
3 say that I have no recollection of Hunter Biden or Burisma  
4 coming up in any discussions, in any work meetings,  
5 including any meeting that I was in that was related to this  
6 visit. But, yeah, if I was in a meeting, yeah.

7 MR. FOLIO: Who set up this delegation visit?

8 MS. ZENTOS: I do not recall. I'm not sure if I knew  
9 who set it up.

10 MR. FOLIO: What was the purpose of the delegation  
11 meeting with National Security Council staff, including  
12 yourself, as part of this visit?

13 MS. ZENTOS: Part of national security staff duties are  
14 to meet with people to find out what's happening in the  
15 countries you cover. My colleagues and I met often with  
16 officials from the countries we covered. Again, I have no  
17 recollection of anyone in that--in any meeting I may have  
18 been in, with this delegation or otherwise, discussing  
19 Burisma or Hunter Biden.

20 MR. FOLIO: So the title of this series of meetings is  
21 "Examination of the US Adversarial Criminal Justice System  
22 for senior-level Ukrainian prosecutors." You told us  
23 previously, though, that that was not a focus of your work  
24 at the National Security Council, so why were you involved  
25 in it?

1 MS. ZENTOS: The focus of my work was definitely on the  
2 ongoing war. The situation overall in Ukraine certainly was  
3 a factor in my work. So if there was--if there were  
4 visiting Ukrainian officials, I would attend, might attend,  
5 and together with colleagues or not.

6 MR. FOLIO: And why did you attend this one?

7 MS. ZENTOS: I don't recall. I mean, I assume I was--  
8 well, yeah, also, I mean--so I recall attending a meeting at  
9 some point while I was at the NSC with at least one  
10 Ukrainian prosecutor. I do not know if I was at this  
11 specific meeting. I may well have been. I remember a  
12 meeting that included David Sakvarelidze, who was a  
13 Ukrainian prosecutor, so that may have been this meeting.  
14 But I don't remember a date, so I cannot say for sure.

15 MR. FOLIO: And the meeting you do recall with the  
16 Ukrainian prosecutor, what was the purpose of that meeting?

17 MS. ZENTOS: Again, I will say the purpose of that  
18 meeting was not--since I have no recollection of it--  
19 discussing Hunter Biden or Burisma. Again, I met with  
20 Ukrainian officials, Moldovan officials, Belarussian  
21 officials, and that was part of the job.

22 MR. FOLIO: I just want to understand. If your primary  
23 focus, you told us before, was the conflict between  
24 Ukrainian and Russia, why are you spending time attending  
25 meetings like this about Ukrainian prosecutors and the

1 criminal justice system?

2 MS. ZENTOS: Sometimes I would take a meeting--  
3 sometimes I would take a meeting because there, you know,  
4 was a--a Ukrainian official was visiting and it's helpful to  
5 know what the situation is in the country that you're  
6 covering. So I did this often, as did all of my colleagues.  
7 This was the norm.

8 MR. FOLIO: Is it fair to say that understanding what  
9 senior-level Ukrainian prosecutors thought was relevant to  
10 your work?

11 MS. ZENTOS: I thought that there could be some  
12 relevance to issues I was working on.

13 MR. FOLIO: And why?

14 MS. ZENTOS: I took the meeting, I assume. I don't  
15 recall this--the run-up to this particular meeting. I don't  
16 recall what specific issues we got into. I recall no  
17 discussion of Hunter Biden or Burisma.

18 MR. FOLIO: Can you please explain how meeting with  
19 Ukrainian prosecutors would have been relevant to your work?

20 MS. ZENTOS: Sure. I can say that a deputy prosecutor  
21 general is a relatively high-level official in Ukraine and I  
22 assume would have some insights into what's happening in the  
23 country and in U.S.-Ukraine relations. At a minimum, that  
24 would be of interest.

25 MR. FOLIO: Anything else?

1 MS. ZENTOS: I mean, there could be a host of issues,  
2 depending on that person's or that group's knowledge or  
3 experience or thoughts, that would be interesting to  
4 understand Ukraine. I don't remember specifics of this  
5 meeting.

6 MR. FOLIO: You were scheduled to attend the meeting  
7 with Eric Ciaramella. Who is Eric Ciaramella?

8 MS. ZENTOS: He's not somebody with whom I remember  
9 having any work dealings related to Burisma or Hunter Biden.

10 MR. FOLIO: What was his title in the National Security  
11 Council staff?

12 MS. ZENTOS: Again, he is not anyone I remember having  
13 any work discussions on about Hunter Biden or Burisma.

14 MR. FOLIO: Does the Director for Baltic and Eastern  
15 European Affairs sound right?

16 MS. ZENTOS: What I said was I do not recall having any  
17 discussions with anyone in work-related matters related to  
18 Hunter Biden or Burisma.

19 MR. FOLIO: As the Director for Baltic and Eastern  
20 European Affairs, what was Mr. Ciaramella's purpose for  
21 attending that meeting along with you?

22 MR. LEVY: You'd have to--

23 MS. ZENTOS: Again.

24 MR. LEVY: If he attended that meeting, you'd have to  
25 ask him.

1 MR. FOLIO: No, I'm asking Ms. Zentos from her  
2 perspective as the Director for Eastern European Affairs.  
3 What was the purpose of having the Director for Baltic and  
4 Eastern European Affairs as well?

5 MS. ZENTOS: All right. So what I would like to  
6 emphasize is that at that meeting, if I was there, I have no  
7 recollection of anyone discussing Hunter Biden or Burisma,  
8 and that's what I have to say.

9 MR. FOLIO: Just to be clear, you're declining to  
10 answer about Mr. Ciaramella and his portfolio?

11 MS. ZENTOS: That's correct.

12 MR. SCHRAM: That's the second time we've made the  
13 witness repeat her answers on this issue. Can we just  
14 stipulate that that's the answer moving forward and not have  
15 to force the witness to continue to repeat herself?

16 MR. FOLIO: I'm happy to find a more efficient way to  
17 do that. I'll leave that to Josh and Ms. Zentos. They seem  
18 to want to repeat the longer phrase. But if she's just  
19 simply going to decline to answer, I'm happy just to have  
20 her say that for the reasons previously discussed if that's  
21 more efficient. I'll leave that to Josh and Ms. Zentos to  
22 determine.

23 MR. LEVY: Yeah, look, I think she and we have made it  
24 clear that she was happy to and has been answering many of  
25 your questions today that are pertinent to the Committee's

1 investigation, so she's here for as long as you'd like  
2 today. She's balancing that with her discretion as a former  
3 National Security Council and her privileges under the  
4 Constitution, including the First Amendment.

5 MR. FOLIO: So, Josh, do we want to stipulate to the  
6 shorter answer or no?

7 MR. LEVY: We can stipulate to the shorter answer that  
8 when she is declining to answer a question--I mean, it's  
9 hard because there may be questions that you want to ask her  
10 that she wants to decline to answer for some other reason.  
11 But when she is--should she decline to answer a question  
12 because it's not pertinent and it's her effort to meet her  
13 obligations as a former member of the National Security  
14 Council and make sure that her constitutional privileges are  
15 being maintained, then we can say that that is why she is  
16 declining in this voluntary interview.

17 MR. FOLIO: Okay. Maybe I can just round out this  
18 conversation, so perhaps we can move forward more  
19 efficiently when she's declining to answer on that basis.

20 What I would like to do is enter into the record as  
21 Exhibit 6 the press release from Chairman Grassley and from  
22 Chairman Johnson on December 6, 2019, when they publicly  
23 initiated the Ukraine investigation. Josh, this was one of  
24 the documents I sent to you in the emails, and I'll quote  
25 from the last paragraph. It says that, "The investigation

1 is focused on potential conflicts of interest and political  
2 influence by Ukrainian elements, including the natural gas  
3 firm Burisma, which employed as a board member Hunter Biden  
4 while his father was the U.S. Vice President and public face  
5 of the Obama administration's handling of Ukraine." Please  
6 note that the "including," of course, does not mean "only,"  
7 as you have interpreted it.

8 [Zentos Exhibit No. 6 was  
9 marked for identification.]

10 MR. FOLIO: The next document I'd like to introduce is  
11 Exhibit 7, the second press release that we sent you, Josh,  
12 on December 18, 2019, from Chairman Johnson and Chairman  
13 Grassley. This was the first set of transcribed interviews  
14 with regard to the investigation requested by the Chairmen.  
15 It identifies the same focus, potential conflicts of  
16 interest and political influence that Ukrainian elements,  
17 including the firm Burisma.

18 [Zentos Exhibit No. 7 was  
19 marked for identification.]

20 MR. FOLIO: Then for the record I will just point to  
21 Senate Resolution 70, which describes the jurisdiction of  
22 the Homeland Security and Governmental Affairs Committee:  
23 ""The Committee is authorized to study or investigate the  
24 efficiency and economy of operations of all branches of the  
25 Government including the possible existence of"--a long list

1 I'm ellipsing--"corruption or unethical practices...[and]  
2 conflicts of interest."

3 MR. LEVY: And I'd just note that Exhibits 6 and 7 from  
4 which you read were sent to me for the first time today. We  
5 were in receipt of the April 30, 2020, letter from the  
6 Chairs and the--from the Chairs of these Committees to  
7 Secretary Pompeo, and reading all three of them together or  
8 separately, we came here prepared today to have Ms. Zentos  
9 voluntarily answer questions pertinent to the examination of  
10 potential conflicts of interest and U.S. Government policy  
11 with respect to the Ukraine and Burisma Holdings. And I  
12 don't see anything in anything you just read to me that  
13 would change that reasonable understanding of the scope of  
14 the investigation for which Ms. Zentos prepared to answer  
15 questions, and she is here for the rest of the day to  
16 continue to answer questions that are pertinent to that  
17 investigation.

18 MR. FOLIO: And I will note for the record that you  
19 never asked for any of these documents. I'll also note  
20 these documents are all publicly available, and they fully  
21 define the scope of the Chairmen's investigation that began  
22 again publicly on December 6, 2019. I will note that on  
23 their face, none of them support your position. I will note  
24 that in context all of them undermine your position. Your  
25 interpretation is frankly absurd. That's just a textualist

1 interpretation.

2 MR. LEVY: We disagree with that position and your use  
3 of language. It's our position it's reasonable, and we  
4 would also hold much more weight with a signed letter from  
5 the Chairmen than a press release. But even taking the  
6 press release into consideration, the focus of this  
7 investigation, the scope of it seems to be on whether there  
8 was a potential conflict of interest regarding the Ukraine  
9 and Burisma and matters including Burisma, not including but  
10 not limited to Burisma. It seems very clear from the plain  
11 reading of everything you've read to me that that's the  
12 scope of this investigation. That's what we came here  
13 prepared to talk about, and she's--Ms. Zentos will continue  
14 to answer your questions pertinent to that investigation.

15 MR. FOLIO: And I'll just add that it is difficult, if  
16 not impossible, for the Committee to investigate conflicts  
17 of interest affecting U.S. foreign policy toward Ukraine if  
18 the witness does not answer questions about what the U.S.  
19 foreign policy towards Ukraine is. But I think having made  
20 it abundantly clear what our respective positions are, Josh,  
21 please feel free that insofar as we're referring back to  
22 this conversation, she can just simply decline to answer  
23 based on that conversation, and if she declines to answer on  
24 another basis, just let us know.

25 MR. LEVY: Okay. We'll do so.

1 MR. FOLIO: All right. Now I'd like to turn to what  
2 we'll pull up and mark as Exhibit 8.

3 [Zentos Exhibit No. 8 was  
4 marked for identification.]

5 MR. FOLIO: If you could start at the bottom, please,  
6 Will.

7 MR. LEVY: And I'll just renew my request to have you  
8 send us these documents so that we can review them on our  
9 own.

10 MR. FOLIO: Understood. So it's going to be the same  
11 conversation, so for efficiency's sake, we'll just note your  
12 objection to any of the documents that we haven't shared  
13 with you.

14 MR. LEVY: You're declining the request?

15 MR. FOLIO: Correct.

16 So this is a list of folks who attended the meeting,  
17 the WAVES. You'll see the context as Will scrolls up.

18 MR. LEVY: We can't see the entirety of the document.  
19 It looks like the width has been cut off. I don't know when  
20 the document begins and ends.

21 MR. FOLIO: On my screen, that's the entirety of the  
22 document. The first column in the left, last name, last  
23 column on the right.

24 MR. LEVY: And was there--

25 MR. FOLIO: That's the full width.

1 MR. LEVY: Was there data--we're on the last page of  
2 the document. Can you show us the first page through the  
3 seventh page of the seven-page document? And is this  
4 Exhibit 8, Joe?

5 MR. FOLIO: Correct.

6 MR. LEVY: Can you scroll to the bottom of the email  
7 thread and then scroll up so we can read it chronologically  
8 as it happened?

9 Is there a text to this? We see to a number of people.

10 MR. FOLIO: That document is how it was received. It  
11 does seem to be the same original message. This is the only  
12 one that we have.

13 MR. LEVY: So is the earliest email this email from  
14 Jeffrey Cole on Wednesday, January 6 at 5:54 a.m.?

15 MR. FOLIO: Yes.

16 MR. LEVY: And there's no text in the message--

17 MR. FOLIO: Correct.

18 MR. LEVY: --in this document. Okay.

19 [Pause.]

20 MR. LEVY: Can you scroll up a little bit, please?

21 [Pause.]

22 MR. LEVY: Can you scroll up a little bit more?

23 [Pause.]

24 MR. LEVY: Can you scroll up more?

25 [Pause.]

1 MR. LEVY: Can you scroll up, please?

2 [Pause.]

3 MR. LEVY: Can you scroll up so we can see who it's  
4 reportedly from? Okay. Can you scroll up?

5 [Pause.]

6 MR. LEVY: Scroll up, please.

7 [Pause.]

8 MR. LEVY: Can you scroll down? I think you jumped  
9 over an email.

10 [Pause.]

11 MR. LEVY: Can you scroll up, please?

12 [Pause.]

13 MR. LEVY: Can you scroll up?

14 [Pause.]

15 MR. LEVY: Can you scroll up?

16 [Pause.]

17 MR. LEVY: Scroll up a little bit more, please. Now  
18 scroll down a little bit.

19 [Pause.]

20 MR. LEVY: Scroll up, please.

21 [Pause.]

22 MR. LEVY: Scroll up, please.

23 [Pause.]

24 MR. SCHRAM: Joe, as I understand, this is an excerpt  
25 from a larger production, and I don't know the discrepancy,

1 but our PDF of this excerpt is a different number of pages  
2 than what you've presented. If you can provide us the  
3 exhibits in PDF form so we can compare it to the documents  
4 in our possession, we can ensure that it's a complete  
5 record, and also try to follow along at the same time.

6 MR. FOLIO: Zack, this is the NARA production with the  
7 Bates range 1695 through 1699. I'm just going to ask my  
8 team--oh, I'm sorry, 1700. That's where the spread sheet  
9 is, 1700.

10 Josh and Ms. Zentos, are you all ready to proceed?

11 MR. LEVY: Can you scroll up to the first page?

12 MR. FOLIO: That was the first page.

13 MR. LEVY: Okay. And then the very last page is where  
14 I think you were wanting us to focus.

15 MR. FOLIO: Yes.

16 MR. LEVY: Which is an attachment of some kind.

17 MR. FOLIO: To one of these emails. The Bates number  
18 is 1700. It's a list of Ukrainian officials as explained in  
19 the email that were checked into the White House for the  
20 meeting. And the question is: Earlier, Ms. Zentos, you  
21 said that you recall a meeting with the Ukrainian  
22 prosecutor. I cannot remember the name that you said, but  
23 can you please repeat that name? And then let us know if  
24 that name is on the list.

25 MS. ZENTOS: Sure. I mean, again, I don't remember a

1 particular date, but it was David Sakvarelidze, which is the  
2 first name listed here.

3 MR. FOLIO: And you pronounced that much better than I  
4 ever will. What is David's title and position?

5 MR. LEVY: What's the question, Joe? We couldn't hear  
6 it.

7 MR. FOLIO: David's--

8 MR. SCHRAM: I'm sorry to interrupt. Joe, can you send  
9 us the PDF of this? It is different than the way the  
10 records are in the production we've received. I don't know  
11 if you've combined two records or if you're omitting blank  
12 pages. This is an excerpt from a larger PDF, so it is not  
13 clear to us that it is a discrete record. You can provide  
14 us the discrete record. We can compare it to what we have  
15 in our possession.

16 MR. FOLIO: So, Zack, are the Bates numbers not working  
17 for you?

18 MR. SCHRAM: The Bates numbers that you provided in our  
19 understanding of the document is not a discrete record. It  
20 is an excerpt of another production and not in our judgment  
21 a single discrete record.

22 MR. FOLIO: What is it missing? You mean you want the  
23 PDF that contained like 100 emails in it?

24 MR. SCHRAM: We have the whole PDF, but I don't know  
25 how you've selected this--you seem to be characterizing it

1 as a "record." But I don't know whether it is discrete or  
2 inclusive. It's hard for us to tell. And since we don't  
3 have it in front of us, we're just following your scrolling.

4 MR. FOLIO: I'll ask that we please just sort this out  
5 during the break. We gave you the Bates numbers. But I  
6 think we can just--we have just one or two questions about  
7 this email. We can do that and then take a break.

8 So the question, Ms. Zentos, was--

9 MR. SCHRAM: I leave that in the discretion of the  
10 witness' counsel whether or not that needs to be resolved in  
11 advance of answering a question.

12 MR. LEVY: It looks like there's a discrepancy between  
13 the majority and the minority about whether this is a  
14 complete record. And if that is something that the majority  
15 and the minority can resolve, that would be helpful so that  
16 we can have the witness be asked about complete records.

17 MR. FOLIO: I think that we would be happy to resolve  
18 that now if we wouldn't lose the time that we've just spent  
19 having Ms. Zentos review the email. So our request would be  
20 that we could take a break now since the hour is just about  
21 up, and then we would speak with our minority and then upon  
22 returning, we could ask our handful of questions about this  
23 document while it's still somewhat fresh in Ms. Zentos'  
24 mind. And then we would turn it over to the minority.  
25 Zack, does that sound all right?

1 MR. SCHRAM: That's fine. I would note that it's 1:15,  
2 and I would suggest a longer break so that we can have some  
3 lunch if folks want to.

4 MR. FOLIO: Do you want to try to reconvene around 2  
5 o'clock?

6 MR. SCHRAM: No objection.

7 MR. LEVY: That's fine. How much longer do you all  
8 think we're going to be going today? How many more hours?

9 MR. FOLIO: I think now that we've got a more sort of  
10 efficient path through for the places in which she's going  
11 to decline to answer--I think we have a fair amount more to  
12 go, but I think it's going to move more quickly now, that we  
13 can just quickly refer to previous positions on declinations  
14 to answer. So I think it's going to be at least two, if not  
15 three more sessions from the majority.

16 MR. LEVY: Okay. I'd just note that she's trying to  
17 prepare to leave the country for Government business in a  
18 couple days. It would be good to get out of here at least  
19 before--

20 MR. FOLIO: We completely understand. We appreciate  
21 her time, and we will do our best.

22 MR. LEVY: Thank you.

23 MR. FOLIO: All right. We'll see you all at 2:00.

24 [Recess.]

25



1 MR. FOLIO: Yes.

2 MR. LEVY: Is that a hypothetical?

3 MR. FOLIO: Well, not really. It's based on her work  
4 and portfolio at the National Security Council staff, so if  
5 she was meeting the deputy prosecutor general, what types of  
6 issues that he would be able to address would she find  
7 relevant to her work?

8 MS. ZENTOS: Again, I don't recall the specifics of  
9 this meeting. I had meetings all the time. When I would  
10 meet with any person on a country, I would talk about the  
11 situation in that country and probably U.S. relations with  
12 that country. Again, I don't have any recollection of  
13 discussing the topics of Hunter Biden or Burisma or those  
14 topics ever coming up. I don't want to speculate on what I  
15 may have discussed when I don't recall.

16 MR. FOLIO: How is the work of the Ukraine prosecutor  
17 general's office relevant to your work at the National  
18 Security Council?

19 MS. ZENTOS: Again, I mean, I--going back to the main  
20 point, I don't have any recollection of the topics of  
21 Burisma or Hunter Biden coming up at that meeting.

22 MR. FOLIO: In what other ways would such a meeting  
23 have been relevant to your work? And, again, if you're  
24 declining to answer, just be efficient and just let us know.

25 MR. LEVY: It just calls for speculation, and based on

1 the grounds that we set forth before, she's going to decline  
2 to answer the question.

3 MR. FOLIO: Turning to page 1698...

4 MR. LEVY: This is Exhibit 9?

5 MR. FOLIO: We're still on Exhibit 8.

6 MR. LEVY: Still on Exhibit 8, okay. Just a different  
7 page within it?

8 MR. FOLIO: Correct. So at the bottom of 1698, Jeff  
9 Cole--I'm sorry. At the top, Ambassador Pyatt writes on  
10 January 7, 2016, at the end of his response, he says, "Jeff  
11 Cole is orchestrating this for all of us"--"is orchestrating  
12 it all for us." Who is Jeff Cole? And what was his role in  
13 dealing with the Ukraine delegation?

14 MS. ZENTOS: I don't want to--I'm going to decline to  
15 get involved in--to get involved in names of U.S. Government  
16 officials.

17 MR. FOLIO: What agency did Mr. Cole work for?

18 MR. LEVY: She's told you that she doesn't--

19 MS. ZENTOS: I'm going to decline to talk about  
20 specific U.S. Government individuals by name.

21 MR. LEVY: Inasmuch as she doesn't have a recollection  
22 of them meeting with her or communicating with her about  
23 Burisma or Hunter Biden, and so in this case she doesn't  
24 have a recollection of that. She's going to decline.

25 MR. FOLIO: Who is Rory?

1 MR. LEVY: Same answer.

2 MR. FOLIO: I'd appreciate it if Ms. Zentos could just  
3 state for the record that she's declining to answer.

4 MS. ZENTOS: Yes, I'm declining to answer about  
5 individuals--I have no recollection of discussing Hunter  
6 Biden or Burisma with anyone.

7 MR. LEVY: That's on the grounds of pertinency, her  
8 discretion as a former National Security Council member, and  
9 her privileges under the First Amendment.

10 MR. FOLIO: Josh, every time you say things like that,  
11 then I feel the need to repeat my thing. I thought we were  
12 going to find a more efficient path to do this. Is this  
13 going to be the same basis as we discussed before?

14 MR. LEVY: The three bases I just articulated are the  
15 three bases.

16 MR. FOLIO: The same ones that we've discussed before?  
17 This is not a new grounds for not answering?

18 MR. LEVY: It's the grounds for not answering this  
19 question in a voluntary interview. I'm not trying to be  
20 difficult.

21 MR. FOLIO: Please don't. We had a long discussion  
22 prior to our break where we both set forth our respective  
23 positions about her declining to answer because of your  
24 interpretation of one part of the letter that we think is an  
25 interpretation that leads to absurd results and, therefore,

1 is not correct. You and I spent a lot of time talking about  
2 our respective positions on the record. I thought we had  
3 reached an agreement that was going to be the basis for Ms.  
4 Zentos' declining to answer. We can simply say she's  
5 declining to answer based on the reasons that we have  
6 previously discussed. And if it was going to be a new  
7 basis, you would identify that new basis for us. So I'd  
8 appreciate, for efficiency's sake, if you could just let us  
9 know if it's on the same basis as previously discussed or if  
10 there's a new basis upon which Ms. Zentos is declining to  
11 identify any U.S. Government official that she talked to in  
12 this email.

13 MR. LEVY: Going forward we will do that.

14 MR. FOLIO: What's the answer for this question? Who  
15 is Rory?

16 MR. LEVY: She told you that she didn't recall speaking  
17 with this person or having Government business with this  
18 person regarding Burisma or Hunter Biden and on that basis  
19 was going to be declining the question. And I told you that  
20 those were on the grounds of pertinency, her discretion as a  
21 National Security Council member, and her First Amendment  
22 privileges.

23 MR. FOLIO: Ms. Zentos, who is Christina?

24 MS. ZENTOS: I'm sorry. You broke up.

25 MR. FOLIO: Who is Christina?

1 MS. ZENTOS: Again, I'm going to decline to answer.

2 MR. FOLIO: And who is--

3 MS. ZENTOS: No recollection--just to say it again, I  
4 have no recollection of discussing Burisma or Hunter Biden  
5 with that person or anyone.

6 MR. FOLIO: Again, we'll stipulate that when you say  
7 you decline to answer, that's going to be your--behind  
8 everything. And if there's something different, just let us  
9 know if there's a difference.

10 Who is Celeste?

11 MS. ZENTOS: Same answer. I'll decline.

12 MR. FOLIO: Why was Mr. Ciaramella interested in having  
13 Rory and Christina, perhaps Celeste, join your meeting with  
14 the Ukrainian delegation?

15 MS. ZENTOS: No recollection. Same answer.

16 MR. LEVY: Recollection.

17 MS. ZENTOS: No recollection of--what I think we're  
18 saying that--I have no recollection of Burisma, Hunter  
19 Biden, same answer.

20 MR. FOLIO: You're just saying you're declining to  
21 answer the question?

22 MR. LEVY: And she shouldn't have to speculate.

23 MR. FOLIO: No one's asking her to speculate.

24 MR. LEVY: I think the answer to that question would  
25 call for speculation.

1 MR. FOLIO: How?

2 MR. LEVY: Repeat the question.

3 MR. FOLIO: Why did Mr. Ciaramella want Rory and  
4 Christina, and perhaps Celeste, to join your meeting with  
5 the Ukrainian delegation?

6 MR. LEVY: Calls for speculation because you would have  
7 to ask Mr. Ciaramella that question.

8 MR. FOLIO: Your objection is noted, but she should  
9 still answer.

10 MS. ZENTOS: I'm going to decline to answer questions--  
11 this question.

12 MR. FOLIO: What was your professional relationship  
13 with Mr. Ciaramella?

14 MS. ZENTOS: I'm going to decline to answer that.

15 MR. FOLIO: Do you still have contact with Mr.  
16 Ciaramella?

17 MS. ZENTOS: Declining to answer that.

18 MR. FOLIO: In addition to yourself, what other U.S.  
19 officials attended this meeting with the Ukraine delegation?

20 MS. ZENTOS: I don't--

21 MR. LEVY: She didn't say that she attended this  
22 meeting. She has said that attended a meeting. She doesn't  
23 recall the specific date.

24 MS. ZENTOS: Correct. I attended a meeting. I recall  
25 attending a meeting that included David Sakvarelidze. I do

1 not recall the date, and I do not--I'm not going to talk  
2 about names of U.S. officials.

3 MR. FOLIO: How many times have you met David at the  
4 White House?

5 MR. LEVY: David who?

6 MR. FOLIO: A name I can't pronounce: Sakvarelidze.

7 MS. ZENTOS: I only recall one meeting that involved  
8 him. That is my recollection.

9 MR. FOLIO: So based on the information we've shown  
10 you, does that refresh your recollection that the one  
11 meeting you recall is this meeting for which we've shown you  
12 the agenda?

13 MS. ZENTOS: I mean, I cannot say for certain. I  
14 recall one meeting that I believe took place in the Old  
15 Executive Office Building that involved U.S. officials and  
16 involved Ukrainian officials, including David Sakvarelidze.

17 MR. FOLIO: What U.S. officials other than yourself  
18 were at that meeting?

19 MS. ZENTOS: Other people from the U.S. Government,  
20 from various agencies.

21 MR. FOLIO: Which agencies?

22 MS. ZENTOS: I'm going to decline answering.

23 MR. FOLIO: On the same basis?

24 MR. LEVY: Yes.

25 MR. FOLIO: Approximately how many other U.S. officials

1 were at the meeting with you?

2 MS. ZENTOS: I do not recall.

3 MR. FOLIO: Was it more than a dozen?

4 MS. ZENTOS: I don't--

5 MR. LEVY: Don't guess.

6 MS. ZENTOS: Okay. I could not tell you for certain.

7 MR. FOLIO: More than six?

8 MS. ZENTOS: I'm not going to speculate. I don't  
9 recall how many people were there.

10 MR. FOLIO: Did Andriy Telizhenko attend that meeting?

11 MS. ZENTOS: I don't recall.

12 MR. FOLIO: I'm going to introduce as Exhibit 9--Will,  
13 if you could pull that document up, please. This is a  
14 printout of the White House visitor log from that day.

15 [Zentos Exhibit No. 9 was  
16 marked for identification.]

17 MR. FOLIO: Ms. Zentos, do you see David Sakvarelidze's  
18 name on that list?

19 MS. ZENTOS: Yes, I see David Sakvarelidze's name on  
20 that list.

21 MR. LEVY: Is there any more to this document, by the  
22 way? We're seeing the top half. I don't know if the bottom  
23 half has any writing on it.

24 MR. FOLIO: No, there's no more.

25 MR. LEVY: Can you scroll down, please?

1 MR. FOLIO: Sure. Will? Thank you.

2 MR. LEVY: Thanks.

3 MR. FOLIO: Sure. Ms. Zentos, do you see the date of  
4 the meeting on this excerpt from a White House visitors log  
5 is the same date, January 19, 2016, as the prior email--I'm  
6 sorry, the prior meeting with the Ukrainian delegation that  
7 we were discussing?

8 MS. ZENTOS: Yes, I do see that.

9 MR. FOLIO: Do you see Andriy Telizhenko's name at the  
10 end of this list?

11 MS. ZENTOS: I do. I see his name.

12 MR. FOLIO: Do you know Andriy Telizhenko?

13 MS. ZENTOS: I have met Andriy Telizhenko.

14 MR. FOLIO: And do you see in the last name category  
15 that you are listed as the last name for Nazar Kholodnytski?

16 MS. ZENTOS: I see my name there. I will just note,  
17 since we're discussing what appears to be a WAVES record or  
18 a copy of a WAVES record, that I am not an expert on how  
19 that process works. The office manager would deal with  
20 WAVES. But my recollection is that because--just because  
21 your name is listed there does not mean you had to be the  
22 one to escort the individual or to attend the meeting. So  
23 just to note.

24 MR. FOLIO: Understood. And you see Mr. Ciaramella's  
25 name listed for every other individual?

1 MS. ZENTOS: Yes.

2 MR. FOLIO: And he was your colleague on the National  
3 Security Council?

4 MS. ZENTOS: I'm going to decline to answer that.

5 MR. LEVY: For the same reasons.

6 MR. FOLIO: Right. So I think this was our bonus time  
7 to continue forward with that exhibit. I think at this  
8 point we'll turn the questioning over to the minority,  
9 unless, of course, you all want a break.

10 MR. LEVY: We're okay.

11 MR. FOLIO: 2:25 p.m. Zack?

12 MR. SCHRAM: Will, are you able to turn control of the  
13 exhibits over to Roy?

14 MR. SACRIPANTI: Coming through now.

15 MR. SCHRAM: Thank you.

16 [Pause.]

17 MR. SACRIPANTI: Roy has control.

18 MR. SCHRAM: Great.

19 Mr. Levy, we've spoken a few times about the letter  
20 that you provided to the Committee staff on July 18th, but I  
21 don't believe it's been entered as an exhibit into the  
22 interview today, so I would like to mark it Exhibit 9.

23 MR. LEVY: Okay.

24 MR. SCHRAM: And just in the interest of efficiency--

25 MR. FOLIO: I'm sorry. Two points of order. First,

1 we've already entered an Exhibit 9. And then, second,  
2 unless you object, could we start a different numbering  
3 scheme, perhaps a lettering scheme, for minority exhibits,  
4 perhaps starting with A, if I may suggest that.

5 MR. SCHRAM: No objections.

6 MR. FOLIO: Thanks.

7 [Zentos Exhibit A was marked  
8 for identification.]

9 MR. SCHRAM: We'd like to introduce Exhibit A, which is  
10 your letter to the Committee staff received on July 18th,  
11 and I'll note that in this letter you write, "...please note  
12 that, while she is not certain of the precise date, Ms.  
13 Zentos does recall attending a meeting with Ukrainian and US  
14 officials on or about January 19, 2016, but she has no  
15 recollection of either Hunter Biden or Burisma being  
16 discussed at that meeting--contrary to news reporting. Nor  
17 does Ms. Zentos recall the topics of either Burisma Holdings  
18 or Hunter Biden arising out of any official government  
19 business where she was present or in which she participated.  
20 She does not recall meeting with, or otherwise being in  
21 communication with, Hunter Biden or anyone from Burisma  
22 Holdings. Nor does she recall attending meetings with any  
23 reportedly representing Burisma Holdings, including but not  
24 limited to Blue Star and Karen Tramontano. Ms. Zentos does  
25 not recall the subject of Burisma Holdings or Hunter Biden

1 being discussed at any government meeting in which she  
2 participated with US and/or Ukrainian officials. Nor does  
3 she recall the subject of Burisma Holdings or Hunter Biden  
4 appearing in any government communication she sent or  
5 received."

6 I read it in hopes--and now entered into the record--in  
7 the hopes that we can be more efficient and not make you  
8 repeat those answers endlessly such that you have adequate  
9 time to prepare for your imminent assignment in Afghanistan.

10 MS. ZENTOS: Thank you.

11 MR. LEVY: Thank you.

12 MR. SCHRAM: In the last session, the majority  
13 referenced the November 21, 2019, letter from Chairmen  
14 Johnson and Grassley to the Archivist of the United States,  
15 Mr. Ferriero, if I'm pronouncing that correctly. The  
16 documents that the majority has been referring to, the NSC  
17 documents, were provided in response to that letter, and  
18 although in their discretion, they have not provided you  
19 opportunity to review those documents in advance, those  
20 documents themselves were provided to the majority in the  
21 discretion of the office, and Barack and Michelle Obama,  
22 President Obama has a privilege and was under no obligation  
23 to provide those documents to the majority.

24 When permission was provided to the Archivist to  
25 provide the majority with those documents, provide the

1 Committee with those documents, it included a cover letter,  
2 which I will now enter as Exhibit B, which is a March 13,  
3 2020, letter from the Honorable David S. Ferriero--sorry, to  
4 the Honorable David S. Ferriero from Anita Decker  
5 Breckenridge, Records Representative to President Obama.

6 [Zentos Exhibit B was marked  
7 for identification.]

8 MR. SCHRAM: I'll give you a moment to review this  
9 document. Just let me know when you're ready.

10 MR. LEVY: You can scroll down.

11 MS. ZENTOS: Right there is good.

12 MR. SCHRAM: And you should--I provided these records  
13 copying the majority. I provided this as a potential  
14 exhibit yesterday, so obviously you should have the PDF of  
15 this. You don't have to refer to the version on our screen.

16 MR. LEVY: Thank you, and we have that in front of us.

17 MR. SCHRAM: I'd like to point to the third paragraph  
18 that starts, "President Obama has consistently supported the  
19 nonpartisan administration of presidential records and the  
20 commitment to transparency core to NARA's mission. However,  
21 the current request is not a proper use of the limited NARA  
22 exceptions. It arises out of efforts by some, actively  
23 supported by Russia, to shift the blame for Russian  
24 interference in the 2016 election to Ukraine. See Fiona  
25 Hill HSPCI Testimony at 39-40. (Based on questions I have

1 heard, some of you on this committee appear to believe that  
2 Russia and its security services did not conduct a campaign  
3 against our country and that, perhaps, somehow for some  
4 reason Ukraine did. This is a fictional narrative that is  
5 being perpetrated and propagated by the Russian service  
6 services themselves.');

7 David Hale Senate Committee on  
8 Foreign Relations Testimony of December 3, 2019 ('I have  
9 seen no credible evidence about these allegations of  
10 Ukraine.')

11 Moving on to the final paragraph in the letter, which  
12 begins, "Nevertheless, in the interest of countering the  
13 misinformation campaign underlying this request, we are  
14 prepared on this occasion to provide the Committees access  
15 to the records responsive to this request. In doing so, we  
16 emphasize that abuse of the special access process strikes  
17 at the heart of presidential confidentiality interests and  
18 undermines the statutory framework and norms that govern  
19 access to presidential records."

20 Ms. Zentos, were you aware of this letter at the time?

21 MS. ZENTOS: I do not recall being aware of this letter  
22 at the time.

23 MR. SCHRAM: Reading it now, does it raise any concerns  
24 for you about a Russian misinformation campaign?

25 MS. ZENTOS: I generally am concerned about Russian  
misinformation as a topic, and so it could, yes.

1 MR. SCHRAM: In your view, is it within the capability  
2 of Russian actors to utilize a congressional investigation  
3 itself to advance misinformation efforts?

4 MS. ZENTOS: I don't want to speculate on that. I will  
5 just note that Russia certainly is looking to use  
6 disinformation and misinformation in the United States and  
7 elsewhere.

8 MR. SCHRAM: Moving on, on May 12 this year, this  
9 Committee, the Homeland Security and Governmental Affairs  
10 Committee, provided notice of a vote to authorize a subpoena  
11 of Blue Star Strategies related to these matters. That  
12 notice was circulated on May 12th.

13 On May 19th, Andrii Derkach released recordings of  
14 phone calls between--that are alleged to be recordings of  
15 phone calls between Vice President Biden and former  
16 Ukrainian President Poroshenko. Do you know who Andrii  
17 Derkach is?

18 MS. ZENTOS: I have read in the past few months about  
19 his release of recordings and watched part of one press  
20 conference, but I know no details on him.

21 MR. SCHRAM: According to the press, he was a member of  
22 the Party of Regions, and his father was a KGB officer, and  
23 he attended a KGB-operated school. Are you aware of those  
24 press reports?

25 MS. ZENTOS: Yes, I've read that in the press.

1 MR. SCHRAM: Then on May 20th, hours after the release  
2 of those recordings, this Committee voted on--held a  
3 business meeting to vote on the authorization of subpoenas  
4 related to the subject of the Chairmen's investigation.  
5 That was on May 20th.

6 On May 22nd and May 23rd, there was a statement signed  
7 by pro-Western Ukrainian politicians, diplomats, and civic  
8 activists, a statement on the Ukrainian-American Strategic  
9 Partnership, and I'll now enter that statement into the  
10 record as Exhibit C.

11 [Zentos Exhibit C was marked  
12 for identification.]

13 MR. SCHRAM: The majority in their round of questioning  
14 asked you to speculate on the views of hypothetical  
15 Ukrainians with respect to Hunter Biden's role on the  
16 Burisma board. Exhibit C is the interviews of actual  
17 Ukrainians about the majority's investigation. I'll give  
18 you a moment to review the statement. I should say that is  
19 at least in part related to and timed to coincide with the  
20 Committee's vote on the Blue Star subpoena authorization.  
21 Please let me know after you've had a moment to review the  
22 document, which was also provided to your counsel yesterday.

23 [Pause.]

24 MS. ZENTOS: Okay.

25 MR. SCHRAM: So just past the halfway mark of this

1 statement, I'll point you to the paragraph that starts, "We  
2 oppose the dishonest attempts to use the political  
3 controversies in the United States. We do not choose any  
4 side, but support each of them in the same way that they  
5 together help Ukraine's independence."

6 "We call on America's leaders to distinguish between  
7 the position of our nation from the actions of politicians  
8 instigated by Moscow."

9 Do you have any view on this statement or the  
10 legitimacy of the concerns expressed by these dozens of pro-  
11 Western diplomats, politicians, and civic activists?

12 MS. ZENTOS: I will first note that I have not worked  
13 on Ukraine for several years now, so I am not an expert on  
14 current Ukrainian politics or the current Ukrainian  
15 situation. I will just note from my prior experience the  
16 importance that I viewed of continued bipartisan support for  
17 Ukraine, U.S. support for Ukraine and its stated desire to  
18 move westward and strengthen democratic institutions and  
19 become a secure, stable, independent country within its  
20 internationally recognized borders. And I continue to  
21 believe that's very important today.

22 MR. SCHRAM: The majority asked you about Biden-  
23 Poroshenko calls, the tapes of which were released by pro-  
24 Russian KGB-affiliated Ukrainians, as we just discussed, Mr.  
25 Derkach in that instance. I'll point you to Exhibit D,

1 which is a July 1st article from the Washington Post  
2 entitled "Hunt for Biden tapes in Ukraine by Trump allies  
3 revives prospect of foreign interference."

4 [Zentos Exhibit D was marked  
5 for identification.]

6 MR. SCHRAM: I'll give you a moment to review that  
7 article or as much time as you need.

8 MR. LEVY: Thank you.

9 [Pause.]

10 MR. SCHRAM: Noting that this is a long article, I'll  
11 mention that I'm going to ask you just briefly about the  
12 section that begins on page 9 of the document related to Mr.  
13 Onyshchenko. And, again, take as much time as you need.  
14 Please just let me know when you're ready.

15 MR. LEVY: Okay.

16 [Pause.]

17 MR. LEVY: Okay.

18 MR. SCHRAM: Ms. Zentos, who is Oleksandr Onyshchenko,  
19 if you know?

20 MS. ZENTOS: So what I do know about him I should not  
21 talk about in this setting.

22 MR. SCHRAM: Okay. I'll respect that answer and  
23 appreciate you being conscientious to the setting. It's  
24 probably reported that he was a member of President  
25 Yanukovich's Party of Regions. Is that accurate, if you can

1 say?

2 MR. LEVY: It's difficult for her to couple and  
3 uncouple what she knows from information that can't be  
4 discussed here and what can be--what's from public record.  
5 So in the interest of making sure that she abides by those  
6 obligations and that we all abide by those obligations, it  
7 might be helpful to move on.

8 MR. SCHRAM: Okay. I'm just going to ask one more  
9 question that I hope is answerable in this setting. If it's  
10 not, I completely understand. Is Mr. Onyshchenko regarded  
11 as pro-Western or pro-Russian?

12 MR. LEVY: Again, I think it's the same answer to that  
13 question.

14 MR. SCHRAM: Okay. Moving on, turning your attention  
15 to page 9 of the Post Article, towards the bottom, the third  
16 to final paragraph of that page starts--I'll wait until Roy  
17 has it queued up here. A little higher, Roy. A little  
18 more. Go to the top of--yeah, just a little higher, next  
19 little sentence. That's good.

20 "Onyshchenko told The Post that the tapes that have  
21 been released are his, part of a cache he said he obtained  
22 from Poroshenko aides."

23 "He told the Russian state news service Sputnik in late  
24 May that his lawyers and Giuliani's team has `exchanged  
25 hundreds of emails,' and that he has handed over materials

1 about Biden, which he said Trump's allies will make use of  
2 in the fall."

3 "Because of the coronavirus, they are waiting,'  
4 Onyshchenko told Sputnik. 'But in September, closer to the  
5 elections, they will begin to use them more.' He told The  
6 Post the materials were being given to the Republican-led  
7 Senate Homeland Security Committee, which is pursuing an  
8 inquiry into Biden's activities in Ukraine."

9 "A spokesman for the committee did not respond to a  
10 question about whether the panel has received such tapes or  
11 plans to use them."

12 MR. FOLIO: Zack, if I just may interject here for the  
13 record, so the part you just read about whether or not  
14 documents have been provided to the Republican-led Senate  
15 Homeland Security Committee, it has been the position that  
16 we will not publicly confirm nor deny what documents the  
17 Committee has received. However, in a private conversation,  
18 because if received, those would be Committee records, you  
19 and I have discussed this. So you know well the answer to  
20 this question, and I'm going to note the objection that it  
21 is unfair that you are raising this issue in a setting in  
22 which you know that we will not and are not able to respond  
23 to it.

24 MR. SCHRAM: I'll just note that as much time, Joe, as  
25 we've spent together and the respect we have for each other,

1 you are not yet capable of reading my mind and that is not,  
2 in fact, the question I was prepared to ask, simply context  
3 to the reporting.

4 MR. FOLIO: Yeah, you're right. I was just making a  
5 comment in response to the fact that you read those  
6 paragraphs into the record, so I was clarifying for the  
7 record our objection that it is an unfair question because  
8 you know it is. To address that question would require  
9 information that we do not have. Go ahead.

10 MR. SCHRAM: Just to finish this dialogue, Joe, I think  
11 the point I'm making here is with respect to Mr.  
12 Onyshchenko's claims and his motives, and I'm not making any  
13 judgment with respect to--I'm happy to note for the record--  
14 well, I'll let you handle that, the extent to which you want  
15 to comment on this. But certainly your characterization of  
16 our private conversation is true. I'm not making any  
17 comment with respect to what records the Committee may or  
18 may not have.

19 Moving on, Ms. Zentos, the concerns expressed in this  
20 article, are they consistent with the concerns you  
21 previously expressed with respect to Russian disinformation  
22 efforts?

23 MS. ZENTOS: I don't know anything specifically about  
24 Onyshchenko's purported statements reported in this article.  
25 What I will just say is that I think Russia is looking to

1 use anyone it can to spread misinformation to conduct malign  
2 influence activities in the United States and other  
3 countries. And so when looking at actions related to  
4 Russia, I would keep that in mind.

5 MR. SCHRAM: Thank you. That's all from us.

6 MR. FOLIO: Ms. Zentos, before we get back to the  
7 January 2016 meeting with the Ukrainian delegation, I just  
8 wanted to ask, are you aware of information that we  
9 declassified in April of this year demonstrating that the  
10 FBI received intelligence reports as part of the Steele  
11 reporting was, in fact, the product of a Russian  
12 disinformation--

13 MR. LEVY: Is that a document that you want to put in  
14 front of us?

15 MR. FOLIO: I'm happy to do that. It might take time  
16 to find it. But without the document, I'm just asking Ms.  
17 Zentos if she's aware of that.

18 MR. LEVY: I just think out of fairness to the witness,  
19 it's hard to have her comment on a document that's not  
20 before her. There's a lot that's been published on that  
21 topic.

22 MR. FOLIO: We can get the document. So is she not  
23 going to answer until we have the document in front of her?

24 MR. LEVY: Let's move on. I'm not sure it's pertinent  
25 to this investigation in any event.

1 MR. FOLIO: I was just following up on Ms. Zentos'  
2 statement that Russians would use--and forgive me if I'm  
3 misstating it, but something along the lines of anyone to  
4 achieve their ends. Is that correct, Ms. Zentos, that's  
5 what you said?

6 MS. ZENTOS: I don't remember my exact words now. I  
7 think the sense of what I was trying to convey is that my  
8 understanding is that Russia is looking to use all means  
9 possible to undermine democracy and to conduct malign  
10 influence in the United States and elsewhere.

11 MR. FOLIO: And my question was purely just to  
12 highlight the declassification of information in April  
13 demonstrating that there were intelligence reports saying  
14 that two different parts, at least, of the reporting by  
15 Christopher Steele, which was the foundation for the  
16 Crossfire Hurricane investigation of the Trump campaign  
17 were, in fact, actually the product of Russian  
18 disinformation campaigns. But we'll find that document and  
19 send that to you in a little bit.

20 Turning back to the January 2016--

21 MR. LEVY: The premise of your question is incorrect,  
22 for the record.

23 MR. FOLIO: Which part was incorrect?

24 MR. LEVY: A lot of it, but--

25 MR. FOLIO: But--

1 MR. LEVY: --in the main it's just not perfect. But  
2 keep going.

3 MR. FOLIO: I only brought it up in light of the  
4 question asked by Zack and in the response by Ms. Zentos.

5 MR. LEVY: Okay.

6 MR. FOLIO: Now I'd like to turn to another email,  
7 which we're going to mark as Exhibit 10.

8 [Zentos Exhibit No. 10 was  
9 marked for identification.]

10 MR. FOLIO: Will, if you could please bring that up on  
11 the screen?

12 [Pause.]

13 MR. FOLIO: Let's start at the bottom, please. So at  
14 the bottom of the last page, Bates number 1910, it's just a  
15 phone number. Will, if you'll please scroll up to the next  
16 page, 1909. This is an email from Eric Ciaramella to the  
17 Europe Ukraine desk, copying you, Ms. Zentos. Would you  
18 please start reading there? Ready to scroll.

19 MS. ZENTOS: Okay. Scroll.

20 [Pause.]

21 MS. ZENTOS: Okay. You can go ahead and scroll up.

22 [Pause.]

23 MS. ZENTOS: Okay. Scroll further.

24 [Pause.]

25 MS. ZENTOS: Okay. You can scroll further.

1 MR. LEVY: A little bit more.

2 [Pause.]

3 MR. LEVY: Can you go down? Sorry.

4 [Pause.]

5 MR. LEVY: Go up, please.

6 MS. ZENTOS: One second, one second. I'm sorry.

7 MR. LEVY: Scroll down, please.

8 MS. ZENTOS: That's good. Okay.

9 MR. LEVY: Scroll up, please.

10 [Pause.]

11 MR. LEVY: The document's gone, but I don't know if  
12 there's a question you wanted to ask.

13 MR. FOLIO: Yes, so the question relates back to a part  
14 that you've already read, so I can start with the question  
15 and she can answer it. So on January 14, 2016, in  
16 preparation for the meeting with the Ukrainian delegation,  
17 Mr. Ciaramella sent an email to the State Department copying  
18 you, Ms. Zentos, requesting information "on how the various  
19 anticorruption agencies/authorities fit together" and  
20 "whether there are any particular points that you or Post  
21 would like us to raise with the group."

22 The State Department official responded: "The Deputy  
23 Assistant Secretary Bridget Brink was scheduled to meet with  
24 the Ukrainian delegation that same week."

25 What was the purpose of reaching out to the State

1 Department for this information about your upcoming meeting  
2 with the delegation?

3 MS. ZENTOS: Okay. So as far as I recall, none of this  
4 was related--none of this involved discussion of Burisma or  
5 Hunter Biden.

6 MR. LEVY: So she's going to decline to--

7 MR. FOLIO: Are you declining to answer?

8 MR. LEVY: Well, she did answer, but she's going to  
9 decline to provide any additional information based on the  
10 three grounds we stated before.

11 MR. FOLIO: The question was: Why would you send an  
12 email like this to the State Department asking for  
13 information?

14 MR. LEVY: She's not going to speculate.

15 MR. FOLIO: So in your role as National Security  
16 Council staff, was it part of your job responsibility to  
17 coordinate across different executive agencies for meetings  
18 like this?

19 MR. LEVY: In this particular meeting or communication,  
20 she said she didn't recall anything having to do with  
21 Burisma or Hunter Biden.

22 MR. FOLIO: I asked a different question of her.

23 MR. LEVY: Right, and I'm just saying that on that  
24 basis she's going to decline.

25 MR. FOLIO: She's been asked a second question.

1 MR. LEVY: Correct, and she's going to decline to  
2 answer the question on that basis.

3 MR. FOLIO: I'd appreciate if Ms. Zentos could just say  
4 that for the record so it's clear since you're not raising a  
5 privilege objection. I just want to hear it from her.

6 MR. LEVY: We are raising a privilege objection. We've  
7 referred in the past to three bases. I thought you didn't  
8 want to go through this again, but it was pertinency, her  
9 discretion as a former National Security Council member, and  
10 her constitutional privilege under the First Amendment.

11 MR. FOLIO: Wait, what was the privilege? A First  
12 Amendment privilege?

13 MR. LEVY: Yes.

14 MR. FOLIO: I don't think we talked about that. Tell  
15 me more.

16 MR. LEVY: I've mentioned it several times today,  
17 including in the original discussion that you have continued  
18 to reference.

19 MR. FOLIO: Please identify with specificity the  
20 privilege that you are invoking.

21 MR. LEVY: Her privilege under the First Amendment to  
22 have free assembly, freedom of association, freedom of  
23 anonymity.

24 MR. FOLIO: That is not a privilege. There's a Bill of  
25 Rights. What privilege are you invoking?

1 MR. LEVY: It's a constitutional privilege under the  
2 First Amendment. I think if you look at the case law,  
3 you'll find that it's described as a privilege in the  
4 context of responding to Government inquiries. This is not  
5 a compulsory one, but were we here under a compulsory  
6 setting, we would be invoking privileges. We're just giving  
7 you the legal basis for it. So she has an interest--

8 MR. FOLIO: I don't--

9 MR. LEVY: Let me finish, please. She has First  
10 Amendment interests that she is entitled to protect her  
11 along with the other considerations that we had set forth  
12 today repeatedly, and we're trying to be efficient, as  
13 you've asked.

14 MR. FOLIO: So I'm fairly certain that we never talked  
15 about a First Amendment privilege in our prior  
16 conversations. I don't want to retread--

17 MR. LEVY: If you read the record back, I'm sure you'll  
18 see multiple references to my invocation of her First  
19 Amendment privileges.

20 MR. FOLIO: We talked about executive privilege and  
21 Presidential communication privilege, so pardon me if I'm  
22 retreading old ground. I just don't recall. So it will be  
23 helpful--so there's a Fifth Amendment privilege against  
24 self-incrimination. But what's the First Amendment  
25 privilege that you're referring to and what's the case

1 you're citing to in support of that claim of privilege?

2 MR. LEVY: We're here voluntarily, Joe. We have  
3 asserted a First Amendment privilege repeatedly today. You  
4 had asked me not to go through this again. It's the First  
5 Amendment of the Constitution. That's where the privilege  
6 is. There are a number of Supreme Court cases and circuit  
7 court cases that talk about the First Amendment privilege.  
8 There are at least a trilogy of cases from the Red Scare era  
9 when Congress was asking questions that implicated that  
10 privilege, and the Supreme Court spoke to those issues.  
11 There are other cases as well. It's not necessary for me to  
12 provide you a legal brief right now, and I don't want to  
13 take up your time or any of the other staff's time with  
14 further discussion. But it's a long, well-settled privilege  
15 under the Bill of Rights.

16 MR. FOLIO: I just want to make sure the record is  
17 entirely clear, so you are asserting on Ms. Zentos' behalf a  
18 First Amendment privilege. And what's the name of that  
19 privilege with specificity?

20 MR. LEVY: I've told you this already. It's a right to  
21 free association, right to anonymity, privacy rights, which  
22 go beyond the First Amendment.

23 MR. FOLIO: Again, those are all constitutional rights.  
24 I don't understand common law privileges, but--and I have  
25 not heard a case that you've referred me to, so I remain

1 unclear as to your basis for privilege, but it doesn't sound  
2 like we're going to get any more out of it.

3 MR. LEVY: It's not a common law privilege. I never  
4 said it was. It's a constitutional privilege. And it's a  
5 First Amendment privilege. If you want to look at  
6 Barenblatt or the trilogy of cases from the Red Scare, MPAC  
7 is one. There are a number of cases that talk about the  
8 exercise of the First Amendment privilege, usually in the  
9 face of compulsory production or compulsory testimony.  
10 Here, just to remind you, we're here voluntarily. She  
11 doesn't have to assert a privilege, but she can, and I don't  
12 want to waste anyone's time with additional discussion of  
13 the basis of privilege under the First Amendment. I'd  
14 suggest we just move on.

15 MR. FOLIO: No, I think we need to make the record  
16 here. So I don't understand any First Amendment privilege.  
17 I understand a First Amendment right not to have compelled  
18 speech, which is severely restricted for Government  
19 officials when especially coming before Congress and being  
20 asked questions about their official capacity, and the case  
21 I'm thinking of Garcetti against Ceballos saying that  
22 someone could be disciplined for official speech. All of  
23 our questions regard only official speech, nothing that  
24 would impinge on any First Amendment right, to say nothing  
25 of the privilege. So we think this basis of your claim is

1 unfounded. I frankly just don't understand how the First  
2 Amendment enables Ms. Zentos to refuse to identify her  
3 superior at the National Security Council staff.

4 On page 1907 of this document, January 18, 2016, a  
5 State Department official provided you and Mr. Ciaramella an  
6 outline of topics that State officials were planning to  
7 raise at their meetings with the Ukrainian delegation. Ms.  
8 Zentos, what did you do with this information when you  
9 received it from the State Department?

10 MS. ZENTOS: I do not recall. This was one meeting 4-  
11 1/2 years ago.

12 MR. FOLIO: Can we just walk through the outline a  
13 little bit? I'll let you just sit there for a second.  
14 Thank you. The first point in the outline was about "the  
15 importance of appointing a new PG"--prosecutor general--  
16 "reiterating that Shokin is an obstacle to reform."

17 Prior to receiving this email from the State  
18 Department, were you aware at that time, Ms. Zentos, that  
19 the United States Government considered then-Prosecutor  
20 General Shokin an obstacle to reform?

21 MS. ZENTOS: I do not remember the exact dates when I  
22 was first involved in a discussion of this. I do not recall  
23 any discussion related to this topic involving Burisma or  
24 Hunter Biden.

25 MR. FOLIO: Why was Prosecutor General Shokin

1 considered an obstacle to reform?

2 MR. LEVY: She's going to decline to answer that  
3 question based on pertinency and discretion.

4 MR. FOLIO: What does "obstacle to reform" mean in the  
5 context of Ukraine at this time?

6 MR. LEVY: The email speaks for itself. She's not  
7 going to answer that question. She has no recollection of  
8 any of this having to do anything with Burisma or Hunter  
9 Biden.

10 MR. FOLIO: To be clear, the email actually doesn't  
11 speak for itself. It is, in fact, a piece of paper and is  
12 silent. This email was sent to, among other people, Ms.  
13 Zentos and my question is asking how she read and understood  
14 those words, which is why we're here today.

15 MR. LEVY: She said she doesn't recall.

16 MR. FOLIO: I didn't hear her say that for this  
17 question.

18 MS. ZENTOS: I'm sorry. I'm perhaps unclear on what  
19 the question is at this point.

20 MR. FOLIO: Sure. So for the first question you said  
21 that, but my next question says in the context of Ukraine at  
22 the time that you received this email, what does it mean to  
23 be a "obstacle to reform"?

24 MS. ZENTOS: I mean, I cannot answer for the person who  
25 sent this email. Again, I don't have any recollection of

1 this meeting, anything related to this meeting involving any  
2 discussion of Burisma or Hunter Biden.

3 MR. FOLIO: Previously, you identified corruption as  
4 being a rampant issue that you dealt with in the Ukraine  
5 context, so this seems like something that you all were  
6 focused on on the National Security Council. So in the  
7 context of corruption being rampant in Ukraine, what would  
8 it mean generally for something to be an obstacle to reform?

9 MS. ZENTOS: Okay. Again, I don't recall anything  
10 related to this meeting involving Burisma or Hunter Biden,  
11 and so I'm not--I don't want to speculate.

12 MR. LEVY: And I would also just ask, Joe, if you'd  
13 refrain from characterizing her testimony, or trying to.

14 MR. FOLIO: I was just trying to repeat back what she  
15 said. Please feel free to correct me if I've said something  
16 incorrect.

17 MR. LEVY: It creates for a muddled record. Her  
18 testimony is her testimony, and when a questioner is trying  
19 to recapitulate what the witness says, it creates further  
20 confusion--it creates confusion.

21 MR. FOLIO: I appreciate that. That unfortunately will  
22 be our problem to deal with, but I'm just trying to link her  
23 prior testimony about Ukraine at the time to this question  
24 here.

25 So, Ms. Zentos, are you declining to answer that

1 question?

2 MS. ZENTOS: Yes.

3 MR. FOLIO: What evidence did the U.S. Government have  
4 about Prosecutor General Shokin being an obstacle to reform?

5 MR. LEVY: She's uncomfortable answering that question.  
6 It's inappropriate to answer that question in this setting.

7 MR. FOLIO: Are you saying that the answer would  
8 require her to get into classified national security  
9 information?

10 MR. LEVY: Yes.

11 MR. FOLIO: Okay. To the extent you can avoid it, is  
12 there an unclassified response as to the reason why not long  
13 after, the U.S. Government seemed to be, quote-unquote,  
14 reiterating that Shokin was an obstacle to reform here in  
15 this unclassified document? What was the reason?

16 MR. LEVY: In order to avoid any possible complications  
17 regarding information that shouldn't be discussed in this  
18 setting because of its classification, she's going to  
19 decline to answer that question.

20 MR. FOLIO: So it would just be helpful in this context  
21 to understand where Ms. Zentos believes the boundaries are  
22 for classified national security information. What type of  
23 information exactly does she believe implicates--I'm sorry.  
24 What part of her answer would implicate classified national  
25 security information and what part of the executive order

1 would it be relevant under?

2 MR. THOMAS: I'm sorry to interrupt. This is Ken  
3 Thomas at the State Department. I understand--usually  
4 there's a way to break out--I'm not sure how we can discuss  
5 potential answers that might implicate classification on an  
6 open line.

7 MR. FOLIO: Right. So what I'm asking Ms. Zentos is  
8 that--my question is based on an unclassified email which  
9 talks about the U.S. Government's reiterating its position  
10 that Prosecutor General Shokin is an obstacle to reform.  
11 And my request of her was to identify any unclassified  
12 information she can provide to explain the basis for this.

13 MR. LEVY: Right, and she doesn't want to risk  
14 disclosing classified information, so she's going to decline  
15 to answer that question.

16 MR. FOLIO: And is this based on her understanding of  
17 the State Department's guidance on classification?

18 MR. LEVY: The Government's.

19 MR. FOLIO: State Department, right?

20 MR. THOMAS: This is Ken Thomas again. The general  
21 guidelines should be the same, but if the information is  
22 information generated or obtained while she was at the NSC,  
23 then technically the origin of the classification markings  
24 would not be the State Department or may not be the State  
25 Department.

1           As to the question as you phrased it, I would only note  
2 that if there is a direct recollection of information that  
3 was marked unclassified at the time, then I'm not concerned  
4 about speculation about that. But there would have to be a  
5 clear recollection of what the source of the information was  
6 by the witness and what the markings were on it at the time  
7 it was observed.

8           MR. FOLIO: Ms. Zentos, under those circumstances are  
9 you able to answer the question?

10          MS. ZENTOS: No, sorry, no, I'm not able to answer the  
11 question.

12          MR. FOLIO: We will flag that as something we could  
13 follow up with in a more appropriate setting.

14          How did Prosecutor General Shokin compare to former  
15 Prosecutor General Vitaly Yarema?

16          MS. ZENTOS: I would not--I do not recall details. I  
17 again was focused on other issues as my main focus, and,  
18 again, I don't recall any work-related matters involving  
19 discussion of Burisma or Hunter Biden.

20          MR. FOLIO: Are you declining to answer the question?

21          MR. LEVY: She answered it.

22          MR. FOLIO: That she doesn't recall how one prosecutor  
23 general compares to the other?

24          MR. LEVY: She's told you that in her conversations--  
25 rather, in her business conduct at the Government, she was--

1 inasmuch as she was discussing Shokin, did not relate to  
2 Burisma or Hunter Biden that she recalled. She's not going  
3 to speculate.

4 MR. FOLIO: So if she's declining to answer the  
5 question, she can just say that to be clear.

6 MS. ZENTOS: I mean, as far as comparing two prosecutor  
7 generals from then 6 years ago, I could not do so today.

8 MR. FOLIO: Well, were you aware that it was under  
9 Prosecutor General Yarema's watch that the PG's office  
10 provided a letter to courts in the United Kingdom that  
11 cleared Burisma owner Mr. Zlochevsky from corruption  
12 charges?

13 MS. ZENTOS: I do not recall knowing that, no.

14 MR. FOLIO: Were you aware that Prosecutor General  
15 Shokin, his office conducted a raid of Mr. Zlochevsky's home  
16 in February 2016?

17 MS. ZENTOS: I do not recall knowing that at the time,  
18 no.

19 MR. FOLIO: At the time you received this email where  
20 the State Department set forth its views that it was going  
21 to cover in its own meetings the Ukrainian delegation, did  
22 the National Security Council agree with the State  
23 Department's position that Shokin was an obstacle to reform?

24 MS. ZENTOS: Well, can I take just a moment, actually?

25 MR. FOLIO: Of course.

1 [Pause.]

2 MS. ZENTOS: Okay. I'm sorry. Would you mind  
3 repeating the exact question?

4 MR. LEVY: Joe?

5 MR. FOLIO: Sorry. I was taking a minute to confer  
6 with you colleague. Please give me 15 seconds.

7 [Pause.]

8 MR. FOLIO: I'm sorry. Are you prepared?

9 MR. LEVY: Do you want to repeat the question?

10 MR. FOLIO: Sure. So I said at the time that you  
11 received this email, did the National Security Council agree  
12 with the State Department's position that Shokin was an  
13 obstacle to reform?

14 MS. ZENTOS: As far as I recall, the U.S. Government  
15 position at that time was based on clear information that  
16 Shokin was supporting corrupt practices in Ukraine, and I  
17 don't recall any--I recall that the U.S. Government  
18 position, united position among all agencies, as far as I  
19 know, is that Prosecutor Shokin was supporting corruption  
20 and was preventing reforms that would have rooted out  
21 corruption.

22 MR. FOLIO: Did you discuss Prosecutor General Shokin  
23 during the meeting that you had with the Ukrainian  
24 prosecutors?

25 MS. ZENTOS: I do not recall.

1 MR. FOLIO: So in your prior answer, you described Mr.  
2 Shokin as being--

3 MR. LEVY: Yeah, let's refrain from--her testimony was  
4 her testimony. If you have a question, just ask the  
5 question.

6 MR. FOLIO: Can you please describe in more detail the  
7 problems that you identified with Mr. Shokin?

8 MS. ZENTOS: I mean, two things. First is that I do  
9 not at this point many, many years later where I've worked  
10 on many different countries since, I do not recall details.

11 Second, I will note that I was briefed on intelligence  
12 matters every morning at the NSC, and to recall what was  
13 classified and what was not at this point, I would not feel  
14 comfortable doing that.

15 MR. FOLIO: Previously I asked you to compare  
16 Prosecutor General Shokin to Prosecutor General Yarema,  
17 mostly because Prosecutor General Yarema was the head of the  
18 office at the time it issued a letter clearing Burisma from  
19 corruption prosecution in the United Kingdom. So how would  
20 you compare Yarema to Shokin in light of the information  
21 you've just described about Shokin?

22 MS. ZENTOS: I do not know when--my recollection is  
23 that when Prosecutor General Yarema was in his position, I  
24 was not--I was either at the embassy covering political-  
25 military issues or working for an Under Secretary covering

1 arms control. I can't speak to Yarema.

2 MR. FLYNN-BROWN: Ms. Zentos, I want to make sure I  
3 understand everything that you stated earlier correctly  
4 here. So do you recall any opinion that you had of Mr.  
5 Shokin?

6 MS. ZENTOS: I do--I do not have a personal opinion. I  
7 can say that I recall the U.S. Government position was that  
8 Mr. Yarema was--I'm sorry. Mr. Shokin was [inaudible-audio  
9 difficulties].

10 MR. FLYNN-BROWN: Sorry. It sounded like you cut out  
11 there. Do you mind restating that?

12 MS. ZENTOS: Sure. My understanding, my recollection  
13 is that the U.S. Government was aware that Mr. Shokin as  
14 prosecutor general was, as the email states, an obstacle to  
15 reform.

16 MR. FLYNN-BROWN: Do you agree with that?

17 MS. ZENTOS: As far as I recall, yes.

18 MR. WITTMANN: Hi, Ms. Zentos. I'm Scott, and sorry  
19 about the echo, if there is one. You mentioned that you  
20 agreed that Mr. Shokin was an obstacle to reform. Did you  
21 share that perspective with anyone?

22 MS. ZENTOS: Me personally? My understanding is that  
23 was the U.S. Government's position, and, again, I don't  
24 recall any discussion or work, any work correspondence  
25 involving Burisma or Hunter Biden, related to that topic of

1 any other.

2 MR. WITTMANN: Right, but about your concerns about Mr.  
3 Shokin, who did you share those concerns with?

4 MR. LEVY: Hold on one second.

5 MR. WITTMANN: Sure.

6 [Pause.]

7 MS. ZENTOS: Okay. Again, this was not my personal  
8 view. This was the view of the U.S. Government. This was  
9 an agreed-upon position of the U.S. Government, as far as I  
10 recall.

11 MR. WITTMANN: Understood. So did you ever discuss  
12 that perspective with anyone at any meetings?

13 MS. ZENTOS: I do not recall today, and, again, I know  
14 of no connection. Certainly at any meetings where Shokin  
15 would have come up, I have no recollection of there being  
16 any discussion of Hunter Biden or Burisma.

17 MR. WITTMANN: If a discussion about Mr. Shokin came up  
18 at this meeting with the Ukrainian prosecutor generals--I'm  
19 sorry, the Ukrainian prosecutors, would you--do you recall  
20 talking about--and I'm sorry about the noise; we having  
21 votes right now. Do you recall discussing the Government's  
22 concerns about Mr. Shokin at this meeting?

23 MS. ZENTOS: I don't recall if we did or not.

24 MR. WITTMANN: Do you recall discussing the  
25 Government's concerns about Mr. Shokin with any other

1 meeting that you had with Ukrainian officials?

2 MS. ZENTOS: Again, corruption was not the main focus  
3 of my portfolio, and, you know, 4-1/2 to 5-1/2 years later,  
4 I am--I do not recall specifics of specific meetings of  
5 which I had hundreds.

6 MR. WITTMANN: Right. Was it--if Mr. Shokin was an  
7 obstacle to reform, would that have been a serious and  
8 important topic that you would have had awareness of and you  
9 would have participated in conversations in as the Director  
10 of Eastern European Affairs?

11 MS. ZENTOS: That's why I noted that I was generally  
12 aware of the U.S. Government's position, but I was not--you  
13 know, as one of many people who worked on Ukraine at the NSC  
14 and within the U.S. Government, I was certainly not a main  
15 interlocutor, you know, on this issue and have no  
16 recollection, again, of anything involving Hunter Biden or  
17 Burisma coming up in this context.

18 MR. WITTMANN: How did you become aware of the U.S.  
19 Government's position on Mr. Shokin?

20 MS. ZENTOS: I do not recall when I very first became  
21 aware of it.

22 MR. WITTMANN: At what point--but by the January 19,  
23 2016, meeting, you had that awareness?

24 MS. ZENTOS: Based--looking at the email you put in  
25 front of me--well, I will say today with an independent

1 recollection just of myself, I don't know when I found that  
2 out.

3 MR. WITTMANN: Were you surprised when you saw this  
4 email that it referenced Mr. Shokin as an obstacle to  
5 reform?

6 MR. LEVY: Was she surprised then?

7 MR. WITTMANN: Yes.

8 MS. ZENTOS: I don't recall then.

9 MR. WITTMANN: If this was the first time as the  
10 Director of Eastern European Affairs that you saw that the  
11 prosecutor general of Ukraine was considered an obstacle to  
12 reform by entities in the United States Government, wouldn't  
13 that have been a surprising moment?

14 MR. LEVY: Can you repeat the question, please?

15 MR. WITTMANN: Sure. If this was the first moment in  
16 which you saw that it was the United States' position that  
17 Mr. Shokin was an obstacle to reform, would that have been a  
18 surprising moment for you?

19 MS. ZENTOS: I can't--I can't say honestly if I ever  
20 read that email. If I had read that email and it had been  
21 the first time I had ever seen something like that, I assume  
22 it would have been surprising. I'm not supposed to assume,  
23 so I don't know.

24 MR. WITTMANN: Okay. So the email--I mean, I  
25 understand that you might not remember whether or not you

1 saw the email, but the email itself appears to be informing  
2 you and your colleague what they plan on discussing at the  
3 State Department's meeting with the Ukrainian delegation.  
4 So it seems like--would that have been something that  
5 entities at the State Department would frequently share with  
6 officials at NSC like yourself?

7 MR. LEVY: What do you mean by "something"?

8 MR. WITTMANN: That they would share topics of what  
9 they plan to discuss with officials?

10 MR. LEVY: She's told you that her recollection of this  
11 entire course of communication and this meeting, if she  
12 attended it, did not to her recollection relate to Burisma  
13 or Hunter Biden. And so your questions about this meeting  
14 aren't pertinent, and she's going to decline to answer, also  
15 her discretion as a National Security Council former staff.

16 MR. FLYNN-BROWN: So with respect to the conclusion  
17 that Shokin was an obstacle to reform, what's the basis for  
18 making that conclusion?

19 MR. LEVY: From the U.S. Government?

20 MR. FLYNN-BROWN: I'm asking Brian what the basis is.

21 MR. LEVY: I want to make a distinction between--I want  
22 to clarify your question, Josh. Are you asking--or Joshua.  
23 Are you asking whether--how the Government arrived at its  
24 position?

25 MR. FLYNN-BROWN: Yes, let's start there.

1 MS. ZENTOS: I do not recall exactly how the Government  
2 arrived at its position. My overall recollection is that  
3 there was overwhelming--there were overwhelming facts and  
4 information that showed that Mr. Shokin was an obstacle to  
5 reform. I do not recall details. If I did, I could  
6 probably not disclose most of them.

7 MR. FLYNN-BROWN: In the position that you were in as  
8 of January 18, 2016, would you have had access to the  
9 information that the Government would have used to conclude  
10 that he was an obstacle to reform?

11 MR. LEVY: That sounds like it would get into  
12 classified, potentially, and I don't think it's appropriate  
13 for her to answer--

14 MR. FLYNN-BROWN: Well, I'm not asking what the  
15 information is. I'm simply asking if your client had access  
16 to that information to the Government views that formed the  
17 basis to conclude that Shokin was an obstacle to reform.

18 MR. LEVY: She's not going to answer that question. It  
19 could implicate classified. She's told you it doesn't--

20 MR. FLYNN-BROWN: Your client won't answer whether or  
21 not she had access to information? I'm not asking about the  
22 information itself. I'm just asking whether or not she  
23 would have had access.

24 MR. LEVY: I don't know what information you're  
25 referring to with specificity, and I'm just not going to

1 have her answer a question that could implicate the status  
2 of her security clearance let alone her legal obligations  
3 outside of the security clearance to abide by the strictures  
4 of classified information.

5 MR. FLYNN-BROWN: Well, confirming whether or not an  
6 individual has access to certain information does not put a  
7 security clearance at risk.

8 MS. ZENTOS: My under--

9 MR. LEVY: Respectfully, she's not going to answer  
10 these questions.

11 MR. SCHRAM: Joe, I just want to remind you that you  
12 had made the request that we limit our participation to  
13 primarily one person on the record, and in the last hour  
14 we've had three, up to four, and some not on video. It's  
15 hard to follow the conversation, even see who's speaking.

16 MR. FOLIO: I think that's just Josh, Zack. I think  
17 these are appropriate follow-up questions from other folks  
18 on our team.

19 Ms. Zentos--

20 MR. SCHRAM: Reiterating your request of us that we  
21 limit the questioning, to the extent possible, to one  
22 person, I think that would help to create a clear record and  
23 just even follow the conversation that's happening.

24 MR. FOLIO: All right. Turning back to the document,  
25 Will, if we can put that back up? So the second tick of the

1 notes that were sent to you from the State Department said,  
2 "Discuss the `diamond prosecutors' case." What was the  
3 diamond prosecutors case?

4 MS. ZENTOS: I do not recall these details now, and  
5 what I do recall is having no recollection of anything  
6 related to this meeting involving Hunter Biden or Burisma.

7 MR. FOLIO: The third issue that State planned to  
8 discuss with the Ukrainian delegation was "what high-level  
9 cases are on the docket for prosecution. Not that we're  
10 expecting big steps in the near future." What do you  
11 understand that to mean?

12 MS. ZENTOS: I do not know.

13 MR. FOLIO: You're saying when you read that you did  
14 not know what that means, or you're saying you do not?

15 MS. ZENTOS: Today I do not know, and I do not know if  
16 at the time I knew or would have known what that means.

17 MR. FOLIO: Was it common for folks like yourself at  
18 the National Security Council or in the State Department to  
19 requests updates from foreign countries about their  
20 prosecution efforts?

21 MS. ZENTOS: Again, I mean, this was not my issue.  
22 This was not my issue, my main issue. You can see, by the  
23 way, that I'm on the copy line, and, again, I have no  
24 recollection of anything at this meeting involving Hunter  
25 Biden or Burisma.

1 MR. FOLIO: I understand it's not your main issue, but  
2 you nonetheless are copied on this. You're read into this,  
3 and you're listed as attending the meeting that you seem to  
4 have some recollection of. I just want to understand what  
5 the purpose is of you getting this information. When the  
6 State Department tells you they're focused on high-level  
7 cases that are on the Ukrainian docket for prosecution, I  
8 just would like to know what do you read that--or what did  
9 you read that to mean?

10 MR. LEVY: I would just have you direct that question  
11 to the State Department itself, and she's answered your  
12 question. She's told you that she has no recollection of  
13 any of these communications relating to Burisma or Hunter  
14 Biden, and so the rest of the questioning about these  
15 communications are no longer pertinent to your inquiry.  
16 She's going to decline to answer.

17 MR. FOLIO: I'd just like a clear record, right? I'm  
18 not asking the State Department. I'm asking Ms. Zentos, who  
19 was a recipient of this email. And if the answer is  
20 declining to comment because it's not about Burisma, that's  
21 one thing. If she doesn't recall, that's another thing. So  
22 I'd just like to be clear. So with regard to this third  
23 tick that the State Department is going to ask what high-  
24 level cases are on the Ukrainian docket for prosecution  
25 because the U.S. Government is "expecting big steps," my

1 question to Ms. Zentos is: What did she understand that to  
2 mean? I'd just like to be clear about what her answer is.

3 MR. LEVY: I think she told you she didn't recall. She  
4 doesn't recall.

5 MR. FOLIO: Ms. Zentos, is that right, you do not  
6 recall?

7 MS. ZENTOS: I do not.

8 MR. FOLIO: The sixth issue at the bottom is that State  
9 planned to discuss implementation of new legislation and, in  
10 particular, the new IG and--

11 MR. LEVY: I think we're on a different page of the  
12 document. Can you--

13 MS. ZENTOS: It's right there.

14 MR. LEVY: Got it. Okay. Go ahead.

15 MR. FOLIO: In particular, the new IG and the PGO.  
16 What was the new IG and the PGO?

17 MS. ZENTOS: I mean, IG stands for inspector general,  
18 but I don't remember details.

19 MR. FOLIO: And what was the role of the inspector  
20 general in the prosecutor general's office in Ukraine?

21 MS. ZENTOS: I do not know details of that, and, again,  
22 none of this, as far as I know, is related to any discussion  
23 of Hunter Biden or Burisma.

24 MR. FOLIO: I want to make sure I understand your  
25 position. So if the prosecutor general's office was either

1 investigating or not investigating and protecting Burisma,  
2 how is that not relevant to Burisma?

3 MR. LEVY: I don't think that's in this email at all.  
4 There's no mention of Burisma or Hunter Biden in this email.

5 MR. FOLIO: Correct, but the prosecutor general's  
6 office is in this email, and that's the entity that was  
7 investigating or in some cases not investigating Burisma.  
8 That's the relevance.

9 MR. LEVY: What's your question?

10 MS. ZENTOS: I think I misspoke.

11 MR. LEVY: What's your question?

12 MR. FOLIO: I want to understand what Ms. Zentos  
13 misspoke on.

14 MS. ZENTOS: I recall no discussion of Hunter Biden or  
15 Burisma at this meeting. If you're saying I can't say  
16 discussion of the prosecutor general is not related to  
17 something, what I'm saying is that from my experience, in  
18 fact, I can--I have no knowledge of this meeting involving  
19 any discussion of Hunter Biden or Burisma.

20 MR. FOLIO: So my question was: Why was it important  
21 to the U.S. Government that the inspector general be placed  
22 in the prosecutor general's office?

23 MS. ZENTOS: I don't recall details of that.

24 MR. FOLIO: Do you recall whether it was important to  
25 the U.S. Government?

1 MS. ZENTOS: But can I take just one second?

2 Apologies.

3 [Pause.]

4 MR. LEVY: Can you repeat the question? Can you repeat  
5 the question? Can you hear me?

6 MR. FOLIO: Sorry.

7 MR. LEVY: Can you repeat the question?

8 MR. FOLIO: Give me one second.

9 [Pause.]

10 MR. FOLIO: Sorry about that. I was just asking the  
11 importance to the United States of having the inspector  
12 general in the prosecutor general's office.

13 MS. ZENTOS: Yeah, I will just reiterate that, you  
14 know, getting into the details of this meeting or any other  
15 meeting that may or may not have happened, I am unaware of  
16 any discussion of Hunter Biden or Burisma, and I will leave  
17 it there.

18 MR. FOLIO: So questions are not limited to Hunter  
19 Biden or Burisma, to be clear. Insofar as it doesn't  
20 involve those, are you declining to answer?

21 MR. LEVY: She is.

22 MS. ZENTOS: Yes.

23 MR. FOLIO: At the top of the email, Mr. Ciaramella  
24 told the State Department official that he would provide a  
25 readout after the meeting to help inform Ambassador Brink's

1 meeting with the delegation later in the week. Is that a  
2 typical practice?

3 MR. LEVY: Hold on. We can't see where that's said in  
4 the email.

5 [Pause.]

6 MS. ZENTOS: Again, that does not refresh my memory at  
7 all related to any discussion of Hunter Biden or Burisma, so  
8 I will decline to speculate further.

9 MR. FOLIO: Well, the question was: For National  
10 Security Council staff meetings, did you all typically  
11 provide readouts back to the State Department about what  
12 happened during them?

13 MR. LEVY: And she responded to the question. She  
14 declined to answer it.

15 MR. FOLIO: She declined to answer. That's fine.

16 In meetings like this one, was there typically a note  
17 taker at the meeting?

18 MS. ZENTOS: Again, I'm going to just decline to  
19 answer.

20 MR. FOLIO: Would the meeting have been documented or  
21 recorded in any other way?

22 MR. LEVY: Again, for the same reasons we've provided  
23 in the past, she's going to decline to answer that question,  
24 just to balance her discretion as a National Security  
25 Council member among other things.

1 MR. FOLIO: I can pull up what we'll mark as Exhibit  
2 11, Will, please.

3 [Zentos Exhibit No. 11 marked  
4 for identification.]

5 MR. LEVY: Scroll down, please.

6 [Pause.]

7 MR. FOLIO: That's the cover sheet.

8 [Pause.]

9 MR. LEVY: Scroll up.

10 [Pause.]

11 MR. LEVY: Scroll up, please.

12 [Pause.]

13 MR. LEVY: Scroll up, please.

14 [Pause.]

15 MR. LEVY: Can you scroll down a little bit, please?

16 [Pause.]

17 MS. ZENTOS: Scroll up.

18 MR. LEVY: Scroll up, please.

19 MR. FOLIO: That's the end of the email. So this  
20 email, which begins on January 21, 2016, with the subject  
21 line "DT:US loan guarantee conditional on Shokin's  
22 dismissal," this occurs 2 days after your meeting with the  
23 Ukrainian delegation. Ambassador Pyatt sent you and Mr.  
24 Ciaramella an excerpt of an article that stated, "The U.S.  
25 State Department has made it clear to Ukrainian authorities

1 that it links the provision of a \$1 billion loan guarantee  
2 to Ukraine to the dismissal of Prosecutor General Viktor  
3 Shokin." The article stated that this position became known  
4 during the Ukrainian delegation meetings with U.S.  
5 officials. The Ambassador's email to you simply said,  
6 "Buckle in."

7 What did you understand Ambassador Pyatt to mean when  
8 he said, "Buckle in"?

9 MS. ZENTOS: I don't recall specifics, and, again, I  
10 don't recall this being linked to Hunter Biden or Burisma.

11 MR. FOLIO: Insofar as this document, are you declining  
12 to answer?

13 MR. LEVY: No. She said she doesn't recall. She  
14 answered your question.

15 MR. FOLIO: When I get "the specifics I don't recall,"  
16 that just makes me want to ask the follow-on question of are  
17 there things she's declining to answer. So a simple "I  
18 don't recall everything" works.

19 MR. LEVY: I think she said she didn't recall that in  
20 the email that you were referring to.

21 MS. ZENTOS: I'm not sure what that means. I'm not  
22 certain.

23 MR. FOLIO: Mr. Ciaramella responds, "Yikes. I don't  
24 recall this coming up in our meeting with them on Tuesday,  
25 although we did discuss the fact that the PGO IG condition

1 has not yet been met." Parenthetical, "(I've been meaning  
2 to write to you about our meeting--we were super-impressed  
3 with the group, and we had a two-hour discussion of their  
4 priorities and the obstacles they face.)"

5 Just focus on that first paragraph. The email sent  
6 from Mr. Ciaramella, the only other recipients are yourself,  
7 Ambassador Pyatt, and Anna Makanju. Ms. Makanju--was she on  
8 the Vice President's staff at that time?

9 MS. ZENTOS: I'm going to decline to answer that.

10 MR. FOLIO: So is the "we" not suggestive that you  
11 attended this meeting?

12 MS. ZENTOS: I can't say.

13 MR. FOLIO: This does not refresh your recollection as  
14 to whether or not you attended a 2-hour meeting with  
15 Ukrainian prosecutors about their priorities and obstacles  
16 they faced?

17 MS. ZENTOS: I've shared my recollection with you,  
18 which I already thought about deeply before coming here, and  
19 I shared with you what I remember, which is that I  
20 participated in a meeting that involved David Sakvarelidze,  
21 who was a deputy prosecutor general at the time, and I  
22 recalled there were several U.S. officials and several  
23 Ukrainian officials there.

24 MR. FOLIO: Looking at Ambassador Pyatt's response,  
25 "Buckle in," and the response from your colleague Eric

1 Ciaramella says, "Yikes," how do you interpret those  
2 responses?

3 MS. ZENTOS: I do not interpret them. I do not want to  
4 speculate. Again, I have no knowledge of any link between  
5 this meeting or the meeting discussed in this email and the  
6 topics of Hunter Biden or Burisma.

7 MR. FOLIO: I think what we're asking for is you to  
8 help explain the context of these emails. This is the U.S.  
9 Ambassador to Ukraine who's emailing you and Mr. Ciaramella  
10 and a member of the Vice President's staff, telling you all  
11 to "Buckle in." It sounds pretty serious, doesn't it?

12 MR. LEVY: You're asking her to speculate about  
13 somebody's email.

14 MR. FOLIO: No. I'm asking her to look at an email  
15 that she received, someone that she likely worked regularly  
16 with, as the Director for European Affairs in the National  
17 Security Council, and to explain to us how she interpreted  
18 and understood that email.

19 MS. ZENTOS: Again, I don't recall any of this back and  
20 forth, anything related to this meeting involving Hunter  
21 Biden or Burisma, and that's what I'm here to answer  
22 questions about today.

23 MR. FOLIO: You're declining to answer insofar as it  
24 doesn't address those issues?

25 MS. ZENTOS: Yes.

1 MR. FOLIO: When Mr. Ciaramella responds, "Yikes," does  
2 he seem surprised?

3 MS. ZENTOS: I don't know how anyone feels based on  
4 that email.

5 MR. FOLIO: I'm not asking how he felt. I'm asking how  
6 you perceived him when he said, "Yikes"?

7 MS. ZENTOS: I don't recall if I read this email chain,  
8 when I read this email chain. I cannot speculate today.

9 MR. FOLIO: Mr. Ciaramella goes on to write in the  
10 email, "In yesterday's IPC"--what's an IPC?

11 MS. ZENTOS: All right. I mean, again, I don't--I  
12 don't see a connection here between Hunter Biden and  
13 Burisma, based on my recollection of the meeting or this  
14 email chain, and so I'd rather not get into NSC workings.

15 MR. FOLIO: Does it stand for Interagency Policy  
16 Committee?

17 MR. LEVY: Same, asked and answered. She's--it's the  
18 same question.

19 MR. FOLIO: "In yesterday's IPC we agreed to come up  
20 with some interagency press guidance/talking points for UA  
21 officials on the Shokin/LG issue." Did you attend IPC  
22 meetings?

23 MS. ZENTOS: Sometimes I did, sometimes I did not.

24 MR. FOLIO: At IPC meetings, what does it mean when  
25 you're going to come up with interagency press guidance and

1 talking point?

2 MS. ZENTOS: I don't know specifically what is meant in  
3 this case, and, again, as far as I know, that IPC, if there  
4 was one, had no connection, no discussion of Hunter Biden or  
5 Burisma.

6 MR. FOLIO: But it did involve discussion of the United  
7 States Government conditioning a loan guarantee on Shokin's  
8 dismissal, right?

9 MR. LEVY: She's going to decline to answer that  
10 question for the same grounds we discussed earlier in the  
11 day.

12 MR. FOLIO: The email also states that you discussed  
13 the PGO-IG condition and how it has not been met. Was that  
14 a condition for the Ukrainians to receive the loan  
15 guarantee?

16 MR. LEVY: She's going to decline to answer that  
17 question for the same grounds we discussed today.

18 MR. FOLIO: Ambassador Pyatt responded to Mr.  
19 Ciaramella that, "We also need to readdress all the LG anti-  
20 corruption conditions, since some of what we have been  
21 asking for is now [overcome by events], and at this stage  
22 there's only one that really matters." What was the one  
23 that really matters?

24 MS. ZENTOS: I'm going to decline for the same reasons,  
25 decline to answer.

1 MR. FOLIO: So then you responded, "Yes, just talked to  
2 the Desk about this." What was that?

3 MS. ZENTOS: I'm going to decline to answer questions  
4 about this email chain that as far as my recollection has no  
5 link to Hunter Biden or Burisma.

6 MR. FOLIO: Just to be clear for the record, the  
7 declinations to answer make it very difficult for us to  
8 determine if there was any link to Hunter Biden or Burisma,  
9 especially when the conversation regards the entity that was  
10 investigating or perhaps not investigating Burisma.

11 You then also said you recommend that Ambassador Pyatt  
12 or Post email Rory informing him of this view. Who is Rory?

13 MS. ZENTOS: Same answer.

14 MR. FOLIO: Declining to answer?

15 MS. ZENTOS: Yes, I decline to answer for the same  
16 reason.

17 MR. FOLIO: Why was it necessary to inform Rory of this  
18 view?

19 MS. ZENTOS: Decline to answer for the same reason.

20 MR. FOLIO: You then forwarded this conversation with  
21 Ambassador Pyatt and Mr. Ciaramella to Molly Montgomery and  
22 Michael Ellsworth. Who are Molly Montgomery and Michael  
23 Ellsworth?

24 MS. ZENTOS: I decline to answer for the same reason.

25 MR. FOLIO: It's our understanding that, in addition to

1 the meeting at the White House, the Ukrainian delegation  
2 also met with officials, U.S. officials at different  
3 agencies. Did you participate in any other meetings with  
4 the Ukrainian delegation other than the one we looked at on  
5 the agenda?

6 MS. ZENTOS: I don't recall participating in any other  
7 meetings. If I attended the one in question, it--as I said,  
8 I remember attending a meeting that involved David  
9 Sakvarelidze and other Ukrainian officials. So I do not  
10 recall being in any additional meetings with Mr.  
11 Sakvarelidze other than that one that I noted.

12 MR. FOLIO: Did you or your colleagues receive any  
13 readouts from the other meetings the Ukrainian delegation  
14 had?

15 MS. ZENTOS: I do not recall.

16 MR. FOLIO: In those circumstances, would it have been  
17 usual for you to have received readouts from other meetings  
18 that a foreign delegation had?

19 MS. ZENTOS: I will decline to answer for the same  
20 reason.

21 MR. FOLIO: During the January 2016, meetings, did you  
22 hear any discussion of an investigation of U.S. persons  
23 receiving payment from Ukraine's Russia-backed Party of  
24 Regions?

25 MS. ZENTOS: I do not recall any discussion of such a

1 topic.

2 MR. FOLIO: Were you aware of any planning or  
3 preparation to discuss that topic at these meetings?

4 MS. ZENTOS: No, not that I recall.

5 MR. FOLIO: Are you aware of any such discussions  
6 actually occurring at those meetings?

7 MS. ZENTOS: No, I am not aware. I do not recall any  
8 such discussions.

9 MR. FOLIO: Have you ever discussed with any Ukraine  
10 official the Party of Regions and illegal payments to United  
11 States persons?

12 MS. ZENTOS: No, I do not--not that I recall. I do not  
13 recall discussing Party of Regions and payments to any  
14 Ukrainian official.

15 MR. FOLIO: During these January 2016 meetings, did you  
16 hear any discussion about whether Ukraine's National Anti-  
17 Corruption Bureau, or NABU, could help locate evidence about  
18 the Party of Regions payments to and dealings with U.S.  
19 persons?

20 MS. ZENTOS: I do not recall any discussion of that at  
21 this meeting.

22 MR. FOLIO: Were you aware of any planning or  
23 preparations to engage in that discussion?

24 MS. ZENTOS: As far as I recall, I do not know of any  
25 preparations to discuss that topic, no.

1 MR. FOLIO: During the January 2016 meetings, did you  
2 hear any discussion of Burisma?

3 MS. ZENTOS: I do not recall any discussion of Burisma  
4 during any meeting while I served with the U.S. Government.

5 MR. FOLIO: Any plans or preparations to engage in  
6 those discussions of Burisma?

7 MS. ZENTOS: No, I do not recall any plans or  
8 preparations to engage in those discussions.

9 MR. FOLIO: And were you ever made aware of any  
10 discussions of Burisma with a foreign delegation?

11 MS. ZENTOS: I do not recall being made aware of any  
12 discussions related to Burisma.

13 MR. FOLIO: I think Brian Downey from our staff has one  
14 question, and then we're going to hand it over.

15 MR. DOWNEY: Hi, Ms. Zentos. With yourself most likely  
16 attending this January 19, 2016, meeting with this Ukrainian  
17 delegation along with Mr. Eric Ciaramella, is it safe to say  
18 that Mr. Ciaramella is the one who dealt with anticorruption  
19 issues with regards to Ukraine?

20 MR. LEVY: Brian, before she answers that question,  
21 she--I think you said it was most likely the case that she  
22 attended this January 19th meeting. She has not said that.  
23 She has said repeatedly today that she recalls attending a  
24 meeting around the time of January 2016 with Ukrainian  
25 officials, including one in particular, not necessarily on

1 the 19th. And, again, I would just caution everybody on the  
2 call not to characterize her testimony but to just ask  
3 questions. So if you have a question, please just ask the  
4 witness.

5 MR. DOWNEY: Sure, and we'll do our best to lay out  
6 what Chairman Johnson's office knows through the documents  
7 we've requested, and from our point of view, it's decently  
8 clear that Ms. Zentos did attend this meeting of January 19,  
9 2016, with the Ukrainian delegation.

10 Ms. Zentos, how many people within the National  
11 Security Council handled anticorruption efforts in regards  
12 to Ukraine?

13 MS. ZENTOS: Many people, and I will decline to get  
14 into names.

15 MR. DOWNEY: Well, how many is many? Did many of these  
16 people attend this January 19, 2016, meeting with the  
17 Ukrainian delegation?

18 MS. ZENTOS: I do not recall who attended such a  
19 meeting or even for certain if I attended the meeting in  
20 question. The National Security Council, as I'm sure you're  
21 aware, is composed of many offices focused on both regional  
22 issues and thematic issues, and I could not name today all  
23 the people who covered Ukraine and corruption.

24 MR. DOWNEY: In an effort for Chairman Johnson's office  
25 to better understand what happened at this January 19, 2016,

1 meeting with the Ukrainian delegation, who do we need to  
2 speak with? Do we need to speak with Eric Ciaramella?

3 MR. LEVY: I don't think it's our place to tell you how  
4 to do your investigation.

5 MR. DOWNEY: Well, we're trying to do it, and we're not  
6 getting too much response from Ms. Zentos.

7 MR. LEVY: She's been answering your questions for  
8 almost 6 hours now, and--

9 MR. DOWNEY: Well, when we're presenting emails that  
10 she's a party to or authored and she's not willing to really  
11 provide anything more than that she doesn't recall.

12 MR. LEVY: Well, she can only recall what she can  
13 recall. I'm sure you don't want her to give you inaccurate  
14 information, and you don't want her to speculate or guess.  
15 She's doing what she's supposed to be doing here. She's  
16 voluntarily cooperating, answering questions that are  
17 pertinent, and declining when they are not.

18 MR. DOWNEY: Joe?

19 MR. LEVY: Joe, you're on mute if you're trying to say  
20 something.

21 MR. FOLIO: Oh, sorry. I was turning it over to Zack,  
22 and then I'm asking how long he would like to take since  
23 it's been a little while since the last break.

24 MR. SCHRAM: Can we take 10 right now and then  
25 reconvene?

1 MR. FOLIO: For 10, that sounds good.

2 MR. LEVY: How much time does everybody have left?

3 Because Ms. Zentos is leaving for another foreign assignment  
4 in 2 days, and it would be great to get her out of here in  
5 at least an hour.

6 MR. FOLIO: We in the majority will confer during the  
7 break to see how much we have left, and we'll let you know  
8 when we come back.

9 MR. LEVY: Thank you. Zack?

10 MR. SCHRAM: We'll be brief.

11 MR. LEVY: Thank you.

12 [Recess.]

13 MR. LEVY: Zack, we're ready when you are.

14 MR. SCHRAM: Joe, are you ready?

15 MR. FOLIO: Yes, sir.

16 MR. SCHRAM: Ms. Gray, I believe it was, are you back?

17 THE COURT REPORTER: Yes.

18 MR. SCHRAM: Great. Ms. Zentos, you have been  
19 repeatedly asked by the majority to speculate about issues  
20 outside of your areas of responsibility, and to the extent  
21 that those repeated questions have unfortunately required  
22 you to restate either that you could not speculate about  
23 other individuals' views or that those issues were outside  
24 your area of responsibility, can you please clarify for the  
25 record what your areas of responsibility and focus were

1 during your time on the NSC?

2 MS. ZENTOS: Sure. At the NSC I focused mainly on the  
3 ongoing Russian-instigated conflict in Eastern Ukraine. I  
4 focused on following where the fighting was, whether the  
5 Russians were trying to push further into Ukrainian  
6 territory and what the death toll was. I also focused on  
7 trying to help provide the Ukrainian defense forces with  
8 defensive military equipment to help them defend their  
9 territory.

10 MR. SCHRAM: With respect to the United States support  
11 for the defense of the territorial integrity of Ukraine and  
12 the advancement of Western values and democracy in Ukraine,  
13 were those issues that Congress took an interest in?

14 MS. ZENTOS: My recollection is, yes, that Congress was  
15 interested in Ukraine maintaining its internationally  
16 recognized borders and in democratizing.

17 MR. SCHRAM: And those groups and individuals in  
18 Congress who were interested in Ukraine issues, would that  
19 include the Ukraine Caucus in the Senate?

20 MS. ZENTOS: My recollection is, yes, the Ukraine  
21 Caucus was involved in Ukraine issues and wanted Ukraine to  
22 move westward.

23 MR. SCHRAM: Would it include the Subcommittee on  
24 Europe and Regional Security Cooperation, a subcommittee of  
25 the Senate Foreign Relations Committee?

1 MS. ZENTOS: I must admit I'm not familiar with that  
2 specific--with that subcommittee, so I can't say for  
3 certain, but I would expect.

4 MR. SCHRAM: Are you aware that Senator Johnson was the  
5 Chairman--is the Chairman of the Subcommittee on Europe and  
6 Regional Security Cooperation of the Senate Foreign  
7 Relations Committee?

8 MS. ZENTOS: I have read that.

9 MR. SCHRAM: And a member of the Ukraine Caucus in the  
10 Senate?

11 MS. ZENTOS: Okay. I'm not sure I knew the latter.

12 MR. SCHRAM: Marking as Exhibit E, this is a letter  
13 signed by the Ukrainian Caucus of the U.S. Senate to  
14 President Poroshenko dated February 12, 2016. It's among  
15 the material that I sent to you and my majority counterparts  
16 yesterday. Please take a moment to review that document and  
17 let me know when you have finished.

18 [Zentos Exhibit E was marked  
19 for identification.]

20 MR. LEVY: Can you scroll? We have this document.

21 [Pause.]

22 MR. LEVY: Okay.

23 MR. SCHRAM: Starting first on the signature page,  
24 directing your attention to the second column, second row,  
25 do you see the signature of Senator Johnson?

1 MS. ZENTOS: I do.

2 MR. SCHRAM: Turning now to the substance of the  
3 letter, the fourth full paragraph beginning, "Succeeding in  
4 these reforms will show Russian President Vladimir Putin  
5 that an independent, transparent, and democratic Ukraine can  
6 and will succeed. It also offers a stark alternative to the  
7 authoritarianism and oligarch cronyism prevalent in Russia.  
8 As such, we respectfully ask that you address the serious  
9 concerns raised by Minister Abromavicius. We similarly urge  
10 you to press ahead with urgent reforms to the Prosecutor  
11 General's office and judiciary. The unanimous adoption by  
12 the Cabinet of Ministers of the Basic Principles and Action  
13 Plan is a good step."

14 So the Ukrainian Caucus as of February 12, 2016, is on  
15 the record supporting urgent reforms to the prosecutor  
16 general's office and judiciary.

17 I would like to enter into the record Exhibit F. This  
18 is not something I sent last night. It wasn't something I  
19 anticipated using, but Roy will email it to everybody on  
20 this call now, as well as bringing it up for us to view. It  
21 is an article in The Hill by Zack Budryk from October 3,  
22 2019, entitled "GOP Senator says he doesn't remember signing  
23 2016 letter urging `reform' of Ukraine prosecutor's office."

24 [Zentos Exhibit F was marked  
25 for identification.]

1 MR. LEVY: Let us take a minute to look at this. We  
2 just received it.

3 MR. SCHRAM: Please let me know when you're ready.

4 [Pause.]

5 MR. LEVY: Okay. We've reviewed it on our devices  
6 here. Zack, I don't know if you can hear us, but we've  
7 reviewed the document.

8 MR. SCHRAM: Thank you. Sorry.

9 Drawing your attention to the fifth paragraph that  
10 starts, "Johnson did acknowledge the letter in an interview  
11 Thursday on WIBA's 'The Vicki McKenna Show,' saying 'The  
12 whole world, by the way, including the Ukrainian caucus,  
13 which I signed the letter, the whole world felt that this  
14 Shokin wasn't doing a [good] enough job. So we were saying  
15 hey you've...got to rid yourself of corruption.'"

16 Were you aware that Senator Johnson supported the  
17 removal of Shokin at the time?

18 MS. ZENTOS: I don't recall if I was aware at the time.

19 MR. SCHRAM: No further questions.

20 MR. WITTMANN: Hi, Ms. Zentos. Earlier we talked about  
21 Mr. Andriy Telizhenko. Who is Andriy Telizhenko?

22 MS. ZENTOS: The last I can recall being in any touch  
23 with Andriy Telizhenko was while I was at the National  
24 Security Council. I don't remember exactly when, but, of  
25 course, I departed at the end of July 2016. I don't believe

1 I've been in touch with him since.

2 MR. WITTMANN: Understood. So that was the last time  
3 you were in touch with him. But who is he?

4 MS. ZENTOS: He is a man--he--at the time--

5 MR. WITTMANN: Professionally, who is he?

6 MS. ZENTOS: So for a time when I was at the National  
7 Security Council, he worked for the Ukrainian Embassy in  
8 Washington, D.C., as far as I'm aware. I know that at some  
9 point before that, I believe he was an adviser to then-  
10 Prosecutor General Yarema, and that at some point prior to  
11 that, he worked for Yulia Tymoshenko's party. That's my  
12 knowledge of him

13 MR. WITTMANN: Okay. How and when did you first  
14 communicate with Mr. Telizhenko?

15 MS. ZENTOS: I do not remember exactly when I first  
16 communicated with him, but I believe it was while I was  
17 working at the U.S. Embassy in Kyiv, so it would have  
18 between 2012 and 2014.

19 MR. WITTMANN: And when did you first meet Mr.  
20 Telizhenko?

21 MR. LEVY: She said she didn't recall.

22 MR. WITTMANN: Would it have been when you were at the  
23 U.S. Embassy, around that time?

24 MS. ZENTOS: Yes. Yes, I just said that I believe I  
25 met him while I was serving at the U.S. Embassy in Ukraine.

1 I don't remember exactly when, but I served at the U.S.  
2 Embassy between 2012 and 2014.

3 MR. WITTMANN: All right. I'd like to discuss what  
4 I'll guess we'll call Exhibit 12.

5 [Zentos Exhibit No. 12 was  
6 marked for identification.]

7 MR. WITTMANN: On January 19, 2016, Mr. Telizhenko  
8 emailed you asking to join the Ukrainian delegation's  
9 meeting at the White House that same day. How did he obtain  
10 your email address?

11 MS. ZENTOS: Good question. I don't know.

12 MR. WITTMANN: Did you facilitate his attendance at  
13 this meeting?

14 MR. LEVY: Can we read the whole document, please?

15 MR. WITTMANN: Sure.

16 MR. LEVY: We've got the bottom of the email.

17 MR. WITTMANN: Let me know when you're done.

18 MR. LEVY: Thanks. Scroll up, please? Keep scrolling.

19 [Pause.]

20 MS. ZENTOS: Okay.

21 MR. WITTMANN: Did you facilitate his attendance at the  
22 meeting?

23 MS. ZENTOS: I don't recall.

24 MR. WITTMANN: It looks like you forwarded this email  
25 to Mr. Ciaramella later that day. Do you remember why you

1 forwarded this email to him?

2 MS. ZENTOS: I do not recall.

3 MR. WITTMANN: How many times did you and Mr.  
4 Telizhenko meet after the January 2016 meeting?

5 MS. ZENTOS: I do not recall that either.

6 MR. WITTMANN: Was it more than once?

7 MR. LEVY: And I'd just like to note that you assumed  
8 that she met with Mr. Telizhenko at this January 19 meeting.  
9 She hasn't said that she did. She said that she recalled  
10 attending a meeting on January 19--in or around January 19,  
11 not January 19 specifically necessarily. She identified the  
12 one Ukrainian official that she can recall being there. She  
13 did not identify Mr. Telizhenko as having been there.

14 MR. WITTMANN: Ms. Zentos, do you recall whether Mr.  
15 Telizhenko attended the January 19, 2016, meeting?

16 MR. LEVY: Before she answers that again, she doesn't  
17 even recall she was at a January 19 meeting. So if you want  
18 to rephrase the question, go ahead.

19 MR. WITTMANN: At the meeting you referenced in your  
20 letter, I believe you said on or about January--and,  
21 apologies, I don't have the letter in front of me. So the  
22 meeting that you did reference, do you recall if Mr.  
23 Telizhenko attended that meeting?

24 MS. ZENTOS: I do not recall.

25 MR. DOWNEY: Scott, one question.

1 Ms. Zentos, going back to the document, specifically to  
2 where Mr. Telizhenko's emailing you, he says, "Dear Liz, Hi  
3 this is Andrii Telizhenko, how are you? Tried contacting  
4 you through facebook." Do you recall whether you checked  
5 Facebook or whether that occurred, that contact occurred?

6 MS. ZENTOS: I don't recall. I will say we couldn't  
7 have our phones in the NSC, in our offices at the NSC. So I  
8 was not on Facebook in general, but I don't recall about  
9 this incident.

10 MR. DOWNEY: Okay.

11 MR. WITTMANN: How would you describe your relationship  
12 with Mr. Telizhenko?

13 MS. ZENTOS: I recall that I met him at least once  
14 while I was in Ukraine serving at the embassy there, and I  
15 believe I met with him at some point while I was in the  
16 National Security Council, but I have no recollection of  
17 ever discussing Burisma or Hunter Biden with him.

18 MR. WITTMANN: I'm going to move on to Exhibit 13.

19 [Zentos Exhibit No. 13 was  
20 marked for identification.]

21 MR. WITTMANN: I'm going to start all the way at the  
22 bottom and then you all just please tell us when you'd like  
23 us to move up.

24 MR. LEVY: Sure, and the majority had said that it was  
25 going to tell us about how much longer it was going to have

1 in this now hopefully last round. Do you have an idea of  
2 that?

3 MR. WITTMANN: I think 2 hours, about a couple hours.

4 MR. LEVY: She's got to go--she's got to prepare to be  
5 overseas at a Government assignment. We've been going now  
6 for 6-1/2 hours. This is getting a little excessive.

7 MR. WITTMANN: Understood. We'll try to move as  
8 efficient--we'll try to be as efficient as possible. And we  
9 appreciate your time. Please let us know when you'd like to  
10 move up.

11 MR. LEVY: Move up.

12 [Pause.]

13 MS. ZENTOS: Okay. Just keep moving up.

14 [Pause.]

15 MS. ZENTOS: Okay.

16 MR. WITTMANN: On February 1, 2016, Mr. Telizhenko  
17 emailed you to schedule a meeting. It looks like you  
18 offered to meet Mr. Telizhenko on February 5, 2016. Why did  
19 he want to meet with you?

20 MS. ZENTOS: I do not know.

21 MR. WITTMANN: Why were you interested in meeting with  
22 him?

23 MR. LEVY: Again, I don't think she's said that she was  
24 interested in meeting with him. This is another fact that  
25 you're assuming.

1 MR. WITTMANN: Sure. Can you scroll down?

2 MR. LEVY: Please ask questions.

3 MR. WITTMANN: In the email it says, "Any chance you're  
4 free for coffee on Friday at either 10:30 a.m. or 2 p.m.?"  
5 Ms. Zentos, why did you want to get coffee with Mr.  
6 Telizhenko?

7 MS. ZENTOS: I believe Mr. Telizhenko wanted to get  
8 coffee with me, according to his email, first.

9 Second, I do not recall.

10 Third, he was a representative of the Ukrainian  
11 Government. Part of my job was to be in touch with the  
12 Ukrainian Government.

13 And, lastly, I have no recollection of ever discussing  
14 Burisma or Hunter Biden with him.

15 MR. WITTMANN: Okay. We're going to go to Exhibit 14,  
16 Tab 22, please.

17 [Zentos Exhibit No. 14 was  
18 marked for identification.]

19 MR. LEVY: Scroll up, please.

20 [Pause.]

21 MR. LEVY: Scroll up, please.

22 [Pause.]

23 MR. LEVY: Scroll up.

24 [Pause.]

25 MR. LEVY: Scroll up.

1 [Pause.]

2 MR. LEVY: All right.

3 MR. WITTMANN: On March 1, 2016, you and Mr. Telizhenko  
4 agreed to meet on March 3, 2016, at the bar the Exchange.  
5 You told Mr. Telizhenko, "I'll see if my colleague Eric is  
6 up for joining." Is this Mr. Ciaramella that you were  
7 referring to?

8 MS. ZENTOS: I would decline to answer that.

9 MR. WITTMANN: Did you invite Mr. Ciaramella to join  
10 your meeting with Mr. Telizhenko?

11 MS. ZENTOS: I do not remember that.

12 MR. WITTMANN: At any time before or after this email  
13 exchange, did you discuss Mr. Telizhenko with Mr.  
14 Ciaramella?

15 MS. ZENTOS: I don't recall.

16 MR. WITTMANN: Okay. We're going to go to Exhibit 15,  
17 Tab 24, please.

18 [Zentos Exhibit No. 15 was  
19 marked for identification.]

20 [Pause.]

21 MS. ZENTOS: Could you please scroll up?

22 [Pause.]

23 MR. LEVY: Scroll up, please.

24 [Pause.]

25 MR. LEVY: Scroll up.

1 [Pause.]

2 MS. ZENTOS: Okay.

3 MR. LEVY: Okay. Is there more email above this, or is  
4 this it?

5 MR. WITTMANN: This is it.

6 MR. LEVY: Okay.

7 MR. WITTMANN: Do you recall what you discussed with  
8 Mr. Telizhenko on the March 4, 2016, meeting?

9 MS. ZENTOS: I do not recall.

10 MR. WITTMANN: Do you recall if Mr. Ciaramella joined  
11 this meeting?

12 MS. ZENTOS: I do not recall.

13 MR. WITTMANN: Following this March 4, 2016, meeting,  
14 Mr. Telizhenko wrote, "About the meeting with"--and my  
15 apologies if I mispronounce the name. "About the meeting  
16 with Mr. Prystayko, I know that Mr. Brysuik asked for a  
17 possible meeting with Mr. Kupchan Charles. However if you  
18 would like a meeting with Mr. Prystayko, please let me  
19 know."

20 So it appears--did you discuss planning these meetings  
21 with Mr. Telizhenko?

22 MS. ZENTOS: I don't recall this email chain  
23 independently. It looks like an email chain I'm on. It  
24 looks like we're planning a meeting of sorts. But, again, I  
25 have no recollection of having any conversation with--

1 certainly with Mr. Telizhenko regarding Burisma or Hunter  
2 Biden.

3 MR. WITTMANN: Who is Mr. Kupchan?

4 MS. ZENTOS: I'm going to decline to answer that.

5 MR. WITTMANN: And who is Mr. Prystayko and Mr.  
6 Brysuik?

7 MS. ZENTOS: Just a moment.

8 [Pause.]

9 MS. ZENTOS: Okay. Certainly nobody I discussed Hunter  
10 Biden or Burisma with.

11 MR. WITTMANN: Are these Ukrainian officials?

12 MS. ZENTOS: Yes, they were at the time.

13 MR. WITTMANN: Did they work at the Ukrainian Embassy?

14 MS. ZENTOS: I--I'm going to say that I--I have no  
15 recollection of discussing Burisma or Hunter Biden with  
16 these two individuals or with anyone related to my work  
17 while I was at the embassy or anywhere else in the U.S.  
18 Government.

19 MR. WITTMANN: Will, would you scroll up just a little  
20 bit?

21 So in your response, you said, "I actually just  
22 received an email from Slava requesting a meeting for Vadym  
23 with Charlie, which is perfect. I'll write back to Slava  
24 and let him know that it looks like Charlie will be able to  
25 do at least a short meeting (and I'll sit in as well)."

1           Could you please let us know who Slava and who Vadym  
2 are?

3           MS. ZENTOS: I'm going to decline to talk about  
4 individuals.

5           MR. WITTMANN: Are they Ukrainian officials?

6           MS. ZENTOS: Yes, they were Ukrainian officials at the  
7 time.

8           MR. WITTMANN: When you said--what does it mean that  
9 Slava requested this meeting? Did she request the meeting  
10 through you?

11          MS. ZENTOS: I don't recall.

12          MR. WITTMANN: Do you recall the purpose between the  
13 meeting--of the meeting between Mr. Prystayko and Mr.  
14 Kupchan?

15          MS. ZENTOS: I do not.

16          MR. WITTMANN: Do you know if this meeting occurred?

17          MS. ZENTOS: I do not.

18          MR. WITTMANN: Did you help facilitate a meeting  
19 between Mr. Brysuik and Mr. Kupchan?

20          MS. ZENTOS: I do not recall.

21          MR. WITTMANN: Do you know what the purpose of that  
22 meeting was?

23          MS. ZENTOS: I do not.

24          MR. LEVY: And she hasn't said that she knows of a  
25 meeting.

1 MR. WITTMANN: We're going to go to Exhibit 16, Tab 25,  
2 please.

3 [Zentos Exhibit No. 16 was  
4 marked for identification.]

5 MR. LEVY: Scroll up, please.

6 [Pause.]

7 MR. LEVY: Scroll up.

8 [Pause.]

9 MR. LEVY: Scroll up.

10 [Pause.]

11 MR. LEVY: Scroll up.

12 [Pause.]

13 MR. LEVY: Okay.

14 MR. WITTMANN: On March 10, 2016, Mr. Telizhenko  
15 emailed asking to meet with you that afternoon for 5  
16 minutes. Based on the rest of the email, it appears that  
17 you met at 5:00 p.m. that day at Cosi. What did you and Mr.  
18 Telizhenko discuss at this meeting?

19 MR. LEVY: You first have to ask if she recalls that  
20 there was a meeting. She hasn't told you there was--

21 MR. WITTMANN: She can say that.

22 MR. LEVY: Yeah, well, you can't assume a fact in  
23 evidence since you're asking questions. I just want to--

24 MR. WITTMANN: She can say whatever she wants.

25 MR. LEVY: I understand that, but there's an element of

1 fairness that we would expect you to bring to the exercise.

2 MR. WITTMANN: I'm telling her that she can say  
3 whatever she wants. I don't know how to be more fair than  
4 that.

5 MR. LEVY: It's to ask appropriate questions. That's  
6 all I'm asking you to do.

7 MR. WITTMANN: Ms. Zentos, please feel free to tell us  
8 whatever you'd like.

9 MR. LEVY: About what?

10 MR. WITTMANN: About this meeting and whether or not it  
11 occurred.

12 MS. ZENTOS: I do not remember if this occurred. As  
13 you can probably see from the email, Mr. Telizhenko likes to  
14 ask me to meet. I don't remember if this specific meeting  
15 happened.

16 MR. WITTMANN: Do you know why he asked to meet for  
17 just 5 minutes?

18 MS. ZENTOS: I do not know.

19 MR. WITTMANN: Did you and Mr. Telizhenko have other  
20 meetings that--where he asked for, you know, a few minutes  
21 just to meet? Are there other email exchanges where he  
22 would email you and say, "Can we meet for just only a few  
23 minutes?"

24 MS. ZENTOS: I don't recall, but there may well have  
25 been. Again, I don't have any recollection of discussing

1 anything related to Hunter Biden or Burisma in any  
2 correspondence or meeting.

3 MR. WITTMANN: Do you recall if anyone else ever  
4 attended any of the meetings that you had with Mr.  
5 Telizhenko?

6 MS. ZENTOS: I don't recall.

7 MR. WITTMANN: Do you recall whether you shared any  
8 information about what was discussed in your meeting with  
9 Mr. Telizhenko with any of your colleagues or any other U.S.  
10 agencies?

11 MS. ZENTOS: Again, I don't recall. I don't want to  
12 speculate on what I would have shared and what I wouldn't  
13 have shared when I don't recall when we met, what we  
14 discussed, et cetera. What I can say is that I don't recall  
15 any discussion of Burisma or Hunter Biden.

16 MR. WITTMANN: I'm going to go to Exhibit 17, Tab A,  
17 please.

18 [Zentos Exhibit No. 17 was  
19 marked for identification.]

20 MR. LEVY: Scroll up, please.

21 [Pause.]

22 MR. LEVY: Scroll up.

23 [Pause.]

24 MR. LEVY: Scroll up, please.

25 [Pause.]

1 MR. LEVY: Okay.

2 MR. WITTMANN: Ms. Zentos, do you recall meeting Mr..  
3 Telizhenko on April 13, 2016?

4 MS. ZENTOS: I do not recall when any specific meeting  
5 was with Mr. Telizhenko.

6 MR. WITTMANN: Ms. Zentos, in your email you wrote, "No  
7 worries! Just got here. See you soon." Is it a fair  
8 assumption to say that you met with Mr. Telizhenko on April  
9 13, 2016, based on this email?

10 MS. ZENTOS: I believe I was advised not to assume. I  
11 don't recall if we actually met. I think the email speaks  
12 for itself.

13 MR. WITTMANN: Okay. I'm going to go to Exhibit 18,  
14 Tab C, please.

15 [Zentos Exhibit No. 18 was  
16 marked for identification.]

17 MR. LEVY: Scroll up, please.

18 [Pause.]

19 MR. LEVY: Scroll up, please.

20 [Pause.]

21 MR. LEVY: Scroll up, please.

22 [Pause.]

23 MS. ZENTOS: All right.

24 MR. WITTMANN: On Wednesday, April 27, 2016, Ms.  
25 Zentos, you wrote to Mr. Telizhenko, "Yes, that would be

1 great. So, Friday, 2 p.m. at Cosi. Looking forward to it!"

2 And then we're going to go to Exhibit 19, Tab D, please.

3 [Zentos Exhibit No. 19 was  
4 marked for identification.]

5 MR. LEVY: You have no questions about this exhibit?

6 MR. WITTMANN: Just showing it for her situational  
7 awareness. Want to be as clear as possible.

8 MR. LEVY: In the interest of time, I would just ask if  
9 you show us an exhibit if you're going to ask us a question  
10 about it.

11 MR. WITTMANN: I just want to make sure that she sees  
12 all the documents that we're basing questions on.

13 MR. LEVY: Well, that's a little disingenuous given  
14 that we've asked to receive the documents and they have not  
15 been sent to us.

16 MS. ZENTOS: Okay. Scroll up.

17 [Pause.]

18 MR. LEVY: Scroll up, please.

19 [Pause.]

20 MR. LEVY: Scroll up, please.

21 [Pause.]

22 MS. ZENTOS: Okay. Scroll up, please.

23 [Pause.]

24 MS. ZENTOS: Okay.

25 MR. WITTMANN: On Friday, April 29, 2016, you emailed

1 Mr. Telizhenko to cancel the previous meeting and to  
2 reschedule for May 4, 216, at 4:00 p.m. at Cosi. Do you  
3 recall if this meeting occurred?

4 MS. ZENTOS: I do not recall.

5 MR. WITTMANN: Okay. We'll go to Exhibit 20, Tab 2.

6 [Zentos Exhibit No. 20 was  
7 marked for identification.]

8 [Pause.]

9 MR. LEVY: Scroll up, please.

10 [Pause.]

11 MR. LEVY: Scroll up, please.

12 [Pause.]

13 MR. LEVY: Scroll up, please.

14 [Pause.]

15 MR. LEVY: Okay. Do you want to ask a question?

16 MR. WITTMANN: On July 8, 2016, you emailed Mr.  
17 Telizhenko and asked if he wanted to meet for coffee on the  
18 next day, July 9th. The next part of the email, you tell  
19 him that you "need to be in Podil at 2 p.m." Were you in  
20 Ukraine at the time that you sent this email?

21 MS. ZENTOS: I'm not sure.

22 MR. WITTMANN: You can't recall if you were in Ukraine  
23 when you sent these emails?

24 MS. ZENTOS: I don't know. I may have been in Ukraine  
25 when I sent them. I'm reading--

1 MR. WITTMANN: Do you recall why you were in Ukraine?

2 MS. ZENTOS: I joined Secretary Kerry's delegation to  
3 Ukraine.

4 MR. WITTMANN: Did you and Mr. Telizhenko speak about  
5 this trip?

6 MS. ZENTOS: I have no recollection.

7 MR. WITTMANN: Mr. Telizhenko offered to pick you up at  
8 your hotel and drive you to lunch. Did Mr. Telizhenko pick  
9 you up the next day, on July 9th, at your hotel?

10 MS. ZENTOS: I don't recall, but I highly doubt it.

11 MR. WITTMANN: Why?

12 MS. ZENTOS: My general policy is to not have foreign  
13 officials drive me places, and, similarly, we are not  
14 allowed, when we are a representative of the U.S. Embassy,  
15 to drive a foreign official somewhere.

16 MR. WITTMANN: Do you recall whether or not you met him  
17 in the lobby of the hotel?

18 MS. ZENTOS: I do not recall. It's possible--I talked  
19 I talked with him in the lobby.

20 MR. WITTMANN: Do you recall whether or not you met  
21 with Mr. Telizhenko for lunch on July 9th?

22 MS. ZENTOS: I do not recall.

23 MR. WITTMANN: Besides your earlier time in Ukraine  
24 when you said you may have met with Mr. Telizhenko, were  
25 there other trips where you met with Mr. Telizhenko in

1 Ukraine?

2 MS. ZENTOS: I'm sorry--

3 MR. LEVY: Can you repeat the question?

4 MR. WITTMANN: I believe you--and correct me if I'm  
5 wrong, but I believe you mentioned earlier that when you  
6 were in Ukraine in 2014, you met with Mr. Telizhenko. Is  
7 that right?

8 MS. ZENTOS: I believe I met him while I was there. He  
9 was not mainly my contact. He was a contact of others in  
10 the U.S. Embassy. My recollection is that within the U.S.  
11 Embassy there were many complaints that he wanted to meet  
12 all the time with U.S. Embassy officials and, similarly,  
13 wanted to meet with U.S. officials all the time when he was  
14 in Washington.

15 MR. WITTMANN: When you were on NSC, do you recall any  
16 meetings with Mr. Telizhenko in Ukraine?

17 MS. ZENTOS: I think I just said I don't recall whether  
18 I met with Mr. Telizhenko when I was in Ukraine. I did go  
19 to Ukraine around this time on Secretary Kerry's trip as an  
20 NSC official. It's possible I spoke to him. I was there to  
21 help advise Secretary Kerry and...

22 MR. WITTMANN: Did you and Mr. Telizhenko ever discuss  
23 the U.S. firm Blue Star Strategies?

24 MS. ZENTOS: I have no recollection of discussing Blue  
25 Star Strategies with Mr. Telizhenko or anyone else.

1 MR. WITTMANN: Did you know on or about July 2016 that  
2 Mr. Telizhenko left the Ukrainian Embassy to work for Blue  
3 Star Strategies?

4 MS. ZENTOS: I don't believe I knew that, no.

5 MR. WITTMANN: Are you familiar with the firm Blue Star  
6 Strategies?

7 MS. ZENTOS: I have read references to it in the past  
8 year. That's all I know about it.

9 MR. WITTMANN: What were those references in regards  
10 to?

11 MS. ZENTOS: I don't remember specifics, but in regards  
12 to it being a lobbying firm involved in Ukraine issues. I  
13 will also note that, again, I did not know Mr. Telizhenko  
14 was going there. The last I remember is that Mr. Telizhenko  
15 told me he was going to go back to Ukraine and be a deputy  
16 prosecutor general.

17 MR. WITTMANN: When did he tell you that?

18 MS. ZENTOS: He was trying to do that. He thought he  
19 could make it happen. While I was at the NSC. I don't  
20 remember when.

21 MR. WITTMANN: Do you know Karen Tramontano or Sally  
22 Painter?

23 MS. ZENTOS: No, I do not, as far as I recall.

24 MR. WITTMANN: Did you know Blue Star Strategies  
25 represents Burisma?

1 MS. ZENTOS: I do not believe I knew that. Not that I  
2 recall.

3 MR. WITTMANN: Do you know that--you didn't know that  
4 at the time that you were on NSC, or are you saying you  
5 don't know that now?

6 MS. ZENTOS: Right now I would have to think about what  
7 I had read. I don't automatically know that. I had been  
8 very focused on Georgia, and then in the last 2 weeks I'm  
9 learning about Afghanistan. I don't know much of anything  
10 about Blue Star.

11 MR. WITTMANN: Were you aware that Blue Star Strategies  
12 officials were attempting to secure meetings with U.S.  
13 officials on behalf of their client Burisma?

14 MS. ZENTOS: I don't believe I was aware, no.

15 MR. WITTMANN: Did you and Mr. Telizhenko ever discuss  
16 Burisma?

17 MS. ZENTOS: Again, I do not recall ever discussing  
18 Burisma with Mr. Telizhenko.

19 MR. WITTMANN: Did you and Mr. Telizhenko discuss  
20 Hunter Biden?

21 MS. ZENTOS: I do not recall ever discussing Hunter  
22 Biden with Mr. Telizhenko.

23 MR. WITTMANN: Did you and Mr. Telizhenko discuss Vice  
24 President Biden?

25 MS. ZENTOS: I do not recall specifically--I do not

1 recall discussing the Vice President with Andriy Telizhenko.

2 MR. WITTMANN: Did you ever discuss politics with Mr.  
3 Telizhenko?

4 MS. ZENTOS: Ukrainian or American?

5 MR. WITTMANN: Both.

6 MS. ZENTOS: I don't recall specifics of any  
7 conversation. I do not recall certainly discussing U.S.  
8 politics with Mr. Telizhenko. I don't recall if I discussed  
9 Ukrainian politics with Mr. Telizhenko. If I discussed  
10 things with him, it would have been U.S.-Ukraine relations.  
11 He was an official of the Ukrainian Government.

12 MR. WITTMANN: Did you and Mr. Telizhenko discuss  
13 Prosecutor General Shokin or any other member of the PGO's  
14 office?

15 MS. ZENTOS: Again, I believe he mentioned Prosecutor  
16 General Yarema to me, and I then mentioned before also I  
17 believe he worked for Prosecutor General Yarema in Ukraine.  
18 But I do not recall any specific discussion of him. I do  
19 not recall any discussion of Shokin with him.

20 MR. WITTMANN: Did you ever express--did you express  
21 any concerns about potential conflicts of interest regarding  
22 Hunter Biden's role at Burisma?

23 MS. ZENTOS: No, I do not recall expressing, ever  
24 mentioning, ever discussing Hunter Biden or Burisma, once  
25 again.

1 MR. WITTMANN: And could you just for the record state  
2 again, based on your recollection, the last time you were in  
3 contact with Mr. Telizhenko?

4 MS. ZENTOS: I do not remember exactly when, but it  
5 would have been before I left the NSC, which was the end of  
6 July 2016. As far as I recall.

7 MR. WITTMANN: Did you help facilitate meetings between  
8 American officials and Mr. Telizhenko?

9 MS. ZENTOS: Not that I recall, no. I mean, I was an  
10 American official, so I recall having met him at some point,  
11 and I probably set it up myself. But not with anyone else.

12 MR. WITTMANN: Okay. Did you help facilitate meetings  
13 between Blue Star Strategy officials or were you--I'll stick  
14 with that. Did you ever help facilitate meetings between  
15 Blue Star Strategy officials?

16 MR. LEVY: She told you she didn't even recall Blue  
17 Star.

18 MS. ZENTOS: No.

19 MR. WITTMANN: Okay. Did you and Andriy Telizhenko  
20 ever discuss specifically the 2016 Presidential election,  
21 U.S. Presidential election?

22 MR. LEVY: She told you she didn't talk U.S. politics  
23 with him.

24 MS. ZENTOS: I do not recall doing that.

25 MR. WITTMANN: Okay.

1 MR. DOWNEY: Ms. Zentos, now that we've discussed  
2 Andriy Telizhenko, we wanted to briefly touch on other  
3 Ukrainian officials that you may have interacted with during  
4 your time at the National Security Council. So if we could  
5 put up Tab 1, Will, this will be Exhibit--what exhibit is  
6 this, Scott?

7 This will be Exhibit 21.

8 [Zentos Exhibit No. 21 was  
9 marked for identification.]

10 MR. LEVY: Scroll up, please.

11 [Pause.]

12 MS. ZENTOS: Okay.

13 MR. DOWNEY: So this exhibit is from October 16 and  
14 October 17, 2015, and it's an email between yourself and Ms.  
15 Oksana Shulyar regarding a draft readout of a meeting  
16 between Susan Rice and Minister of Foreign Affairs of  
17 Ukraine Pavlo Klimkin.

18 Ms. Zentos, who is Oksana Shulyar?

19 MS. ZENTOS: She's not somebody I discussed Hunter  
20 Biden or Burisma with.

21 Okay, okay. I mean--sorry. She--my recollection is  
22 that she was a representative of the Ukrainian Government at  
23 the Ukrainian Embassy in Washington, D.C.

24 MR. DOWNEY: So from your recollection, is she higher  
25 up in the--was she higher up in the Ukrainian Embassy than

1 Andriy Telizhenko?

2 MS. ZENTOS: I did not know the inner workings of the  
3 Ukrainian Embassy in Washington.

4 MR. DOWNEY: Do you know--how often did you communicate  
5 with Ms. Oksana Shulyar?

6 MS. ZENTOS: I don't remember. I don't remember.

7 MR. DOWNEY: Ms. Shulyar and Mr. Telizhenko each worked  
8 for the Ukrainian Embassy, as we discussed. Did you meet  
9 with Ms. Shulyar apart from official meetings like you met  
10 with Mr. Telizhenko?

11 MS. ZENTOS: I knew Ms. Shulyar through my work. I'm  
12 not sure what you mean by in not official meetings. My  
13 dealings with Ms. Shulyar would involve work.

14 MR. DOWNEY: Well, as Mr. Wittmann went through your  
15 meetings with Mr. Telizhenko, they were sort of off-site at  
16 coffee shops and other places around Washington. Did you  
17 meet with Oksana Shulyar outside of the White House grounds?

18 MS. ZENTOS: NSC officials held most of their meetings  
19 off of NSC grounds, at least at my level, because it was  
20 very difficult to get people into the NSC. And all of those  
21 meetings with Mr. Telizhenko were work-related; they were  
22 work meetings.

23 MR. DOWNEY: Gotcha. So turning back to the exhibit,  
24 you wrote to Ms. Shulyar on October 17, 2015, "Please do not  
25 yet publish this. I've found out that Susan often does not

1 like readouts of her meetings to be published." Is this  
2 "Susan" Susan Rice?

3 MS. ZENTOS: This is not a meeting that I recall  
4 anything being discussed about Hunter Biden or Burisma.

5 MR. DOWNEY: Can you explain to the Committee why Susan  
6 did not like published readouts of her meetings?

7 MS. ZENTOS: I cannot. I do not know.

8 MR. DOWNEY: Was it common practice for Ukrainian  
9 officials to send you and other U.S. officials draft  
10 readouts of meetings before publishing?

11 MS. ZENTOS: At times officials could send--this is a  
12 practice that sometimes happens in the diplomatic corps in  
13 all countries I've worked in.

14 MR. DOWNEY: Did you attend this meeting between Susan  
15 and Mr. Klimkin?

16 MS. ZENTOS: Insofar as I attended any meeting, I  
17 recall no discussion of Hunter Biden or Burisma.

18 MR. DOWNEY: Okay. Let's go to Tab 8, which will be  
19 Exhibit 22.

20 [Zentos Exhibit No. 22 was  
21 marked for identification.]

22 MR. LEVY: Scroll up, please.

23 [Pause.]

24 MR. LEVY: Scroll up, please. Okay.

25 MR. DOWNEY: So as you can see, this is first an email

1 of December 22, 2015, from Oksana Shulyar, who has the  
2 signature tag as counselor to the U.S. Embassy for Ukraine  
3 in Washington. She sends her contact information to you,  
4 Ms. Zentos, and then the day after Christmas, on December  
5 26, 2015, you forward that email to Mr. Eric Ciaramella.  
6 Can you describe what prompted you to forward this  
7 information to Mr. Ciaramella?

8 MS. ZENTOS: I do not remember.

9 MR. DOWNEY: Did you forward this information to him  
10 because Mr. Ciaramella dealt more with Ukraine than you did?

11 MS. ZENTOS: I am going to decline to answer about  
12 specific individuals.

13 MR. DOWNEY: Did you and Mr. Ciaramella work together  
14 on Ukraine policy?

15 MS. ZENTOS: Decline to answer.

16 MR. DOWNEY: Why did you forward this, Ms. Shulyar's  
17 information, only to Mr. Ciaramella? What other people on  
18 NSC worked on Ukraine could have been forwarded this  
19 information?

20 MS. ZENTOS: I do not recall why I forwarded it.

21 MR. DOWNEY: Do you know if Mr. Ciaramella ever met  
22 with Oksana Shulyar?

23 MS. ZENTOS: I'm going to decline to comment on  
24 specific individuals.

25 MR. DOWNEY: Okay. We're going to go to Tab 26,

1 please. This will be Exhibit 23.

2 [Zentos Exhibit No. 23 was  
3 marked for identification.]

4 MR. LEVY: Scroll up, please.

5 [Pause.]

6 MS. ZENTOS: Okay.

7 MR. DOWNEY: So this exhibit is regarding a March 31,  
8 2016, meeting between--a working lunch between Vice  
9 President Joe Biden and Ukraine President Petro Poroshenko.  
10 Do you recall this lunch meeting?

11 MS. ZENTOS: No.

12 MR. DOWNEY: Did you attend the working lunch?

13 MS. ZENTOS: I don't know.

14 MR. LEVY: She said she doesn't recall it.

15 MR. DOWNEY: The draft statement notes that, "The  
16 Ukrainian Government is committed to a reform program--  
17 including prosecutorial and other anti-corruption reforms."  
18 The statement continues: "The VP welcomed the news and  
19 reaffirmed that the United States is prepared to move  
20 forward on a third \$1 billion loan guarantee and other  
21 assistance once these steps are taken."

22 Do you recall what specific steps the Ukrainians had to  
23 take to secure the \$1 billion loan guarantee?

24 MS. ZENTOS: I don't recall.

25 MR. DOWNEY: Do you recall working on any of these

1 issues connected to the Ukrainian loan guarantee?

2 MS. ZENTOS: It was not the focus of my work, and  
3 insomuch as I was in any meetings that involved discussion  
4 of a loan guarantee, I recall no discussion that involved  
5 Hunter Biden or Burisma.

6 MR. DOWNEY: One more question on this document. After  
7 the Ukrainian officials replied to the email chains which  
8 suggested that it's to the statement, you, Ms. Zentos, then  
9 forwarded the email to Alexander Kasanof at the State  
10 Department and wrote, "Ugh." And Kasanof responded,  
11 "Agree."

12 Who is Mr. Kasanof?

13 MS. ZENTOS: I'm going to decline to comment on  
14 specific individuals.

15 MR. DOWNEY: Does he work at the State Department?

16 MS. ZENTOS: Decline to answer.

17 MR. DOWNEY: Do you recall why you forwarded this email  
18 chain and why you included a comment, "Ugh"?

19 MS. ZENTOS: Do not recall.

20 MR. DOWNEY: Okay. We're going to go to Tab E, Will.

21 [Zentos Exhibit No. 24 was  
22 marked for identification.]

23 [Pause.]

24 MR. DOWNEY: Is Mr. Levy there?

25 [No response.]

1 MR. DOWNEY: Ms. Gray, we're going to go off the  
2 record. It's 5:11 p.m.

3 [Recess.]

4 MR. DOWNEY: Okay. It's 5:20 p.m., and we're back on  
5 the record with Ms. Zentos.

6 MR. LEVY: I think the building's WiFi shut off at 5  
7 o'clock, and so we had to go to a different source of WiFi.

8 MR. DOWNEY: No problem.

9 MR. LEVY: We're back. Thank you for your patience.  
10 Just a quick question. How much longer does the  
11 majority expect to go this round?

12 MR. DOWNEY: I will probably go for maybe 5 more  
13 minutes, and then Josh Flynn-Brown from Senator Grassley's  
14 office will have some questions. And then our hour is  
15 probably up, and then we'll kick it over to the minority.

16 MR. LEVY: Okay. Thank you.

17 MR. DOWNEY: No problem.

18 Ms. Zentos, we were on Exhibit 24. Tab E, Will, if you  
19 can pull that back up.

20 [Pause.]

21 MS. ZENTOS: Okay.

22 MR. LEVY: Scroll up, please.

23 [Pause.]

24 MR. LEVY: Scroll up, please.

25 [Pause.]

1 MR. LEVY: Scroll up, please.

2 [Pause.]

3 MS. ZENTOS: Okay. Scroll up more, please.

4 [Pause.]

5 MS. ZENTOS: Okay. Scroll up more.

6 [Pause.]

7 MS. ZENTOS: Okay.

8 [Pause.]

9 MS. ZENTOS: Okay.

10 [Pause.]

11 MS. ZENTOS: Okay.

12 [Pause.]

13 MS. ZENTOS: Okay.

14 [Pause.]

15 MS. ZENTOS: Okay.

16 [Pause.]

17 MS. ZENTOS: Okay.

18 MR. DOWNEY: Okay. So this is an email chain that  
19 spans from late May of 2016 to June 17, 2016. On June 6,  
20 2016--which is on Bates 1102, Will, if we can go back down  
21 to that section.

22 This June 6th email from Ms. Oksana Shulyar to you, Ms.  
23 Zentos, she is seeking help to facilitate a meeting between  
24 Boris Lozhkin and Denis McDonough, President Obama's Chief  
25 of Staff. Ms. Shulyar wrote, "I think it would be

1 interesting for both." Who is Boris Lozhkin?

2 MS. ZENTOS: I recall that he worked for the Ukrainian  
3 presidential administration. I don't recall his exact  
4 title.

5 MR. DOWNEY: Would he sort of be the counter--the  
6 similar position as Denis McDonough is, chief of staff to  
7 the President of Ukraine?

8 MS. ZENTOS: I don't recall his exact title, but--so I  
9 don't want to speculate. I don't recall his exact title.

10 MR. DOWNEY: Do you recall why they requested this  
11 meeting between Mr. Lozhkin and Mr. McDonough?

12 MS. ZENTOS: I do not.

13 MR. DOWNEY: Were there any previous requests for  
14 meetings between Mr. Lozhkin and Mr. McDonough between  
15 January 2016 and July 2016?

16 MS. ZENTOS: I don't know. I don't remember.

17 MR. DOWNEY: Okay. We're going to go to Exhibit 25,  
18 Tab P.

19 [Zentos Exhibit No. 25 was  
20 marked for identification.]

21 [Pause.]

22 MS. ZENTOS: Okay.

23 MR. LEVY: Scroll up, please.

24 [Pause.]

25 MS. ZENTOS: Okay. Please scroll up.

1 [Pause.]

2 MS. ZENTOS: Okay. Just keep going.

3 [Pause.]

4 MS. ZENTOS: Okay.

5 [Pause.]

6 MS. ZENTOS: Okay.

7 [Pause.]

8 MS. ZENTOS: Okay.

9 [Pause.]

10 MS. ZENTOS: Okay.

11 [Pause.]

12 MS. ZENTOS: Okay.

13 [Pause.]

14 MS. ZENTOS: Okay.

15 [Pause.]

16 MS. ZENTOS: Okay.

17 [Pause.]

18 MS. ZENTOS: Okay.

19 [Pause.]

20 MS. ZENTOS: Okay.

21 MR. DOWNEY: So if we could turn our attention to the

22 last page of this Exhibit 25, which is Bates number 1141--

23 can you go down? Thanks. So on May 20, 2016, you were

24 copied on an email from Charles Kupchan to Natalie Quillian

25 that stated, "You may recall that we were in the midst of

1 setting up a meeting between Denis and Lozhkin a couple of  
2 months ago, but Lozhkin had to cancel his trip."

3 Were you involved in facilitating this meeting between  
4 Mr. McDonough and Mr. Lozhkin?

5 MS. ZENTOS: I don't recall. You mean the supposed  
6 prior one? I don't recall anything about a supposed prior  
7 attempt to set up a meeting.

8 MR. DOWNEY: Understood. Let's go to Tab X, which will  
9 be Exhibit 26.

10 [Zentos Exhibit No. 26 was  
11 marked for identification.]

12 MR. DOWNEY: And for the record, the State Department  
13 document that Ms. Zentos is not a party to--I'll attempt to  
14 tie this together.

15 MR. LEVY: What's your question?

16 MR. DOWNEY: I'll let you review the email first.

17 MR. LEVY: What's your question?

18 MR. DOWNEY: On March 28, 2016, Karen Tramontano, the  
19 chief executive officer of Blue Star Strategies, emailed  
20 Denis McDonough and asked him to meet with Boris Lozhkin.  
21 Ms. Tramontano said, "I'm assisting the Office of the  
22 President (Ukraine) with his upcoming visit to the [United  
23 States.] His Chief of Staff, Boris Lozhkin has asked  
24 whether it would be possible to meet you."

25 Ms. Zentos, were you or anyone else on the NSC aware of

1 this request by Karen Tramontano?

2 MS. ZENTOS: I do not recall knowing about this request  
3 from Karen Tramontano. I cannot speak to others in the NSC.

4 MR. DOWNEY: Was this March 2016 request by Karen  
5 Tramontano the same meeting that Mr. Kupchan referenced in  
6 his email to Ms. Quillian?

7 MS. ZENTOS: I do not know.

8 MR. DOWNEY: Was it common for an individual not  
9 employed by the embassy to make a request on behalf of  
10 another country to have that country's top official meet  
11 with the U.S. President's Chief of Staff?

12 MS. ZENTOS: I'm not going to speculate on what other  
13 countries do and have their lobbyists do. I don't know.

14 MR. DOWNEY: From your experience working in the State  
15 Department, have you seen that before?

16 MR. LEVY: She's answered the question. She's not  
17 going to speculate.

18 MR. DOWNEY: Thank you.

19 Real quick, Vice President Biden asserted that he  
20 threatened to withhold \$1 billion in U.S. aid if Prosecutor  
21 General Shokin wasn't fired. When did you, Ms. Zentos,  
22 become aware of that fact?

23 MS. ZENTOS: I don't remember when I became aware.

24 MR. DOWNEY: Do you recall when that threat was made by  
25 Vice President Biden?

1 MR. LEVY: Is there a document that you're reading  
2 from?

3 MR. DOWNEY: No. I'm just going off public reporting.

4 MS. ZENTOS: I don't recall.

5 MR. DOWNEY: Do you recall whether that was the  
6 official Obama administration position?

7 MR. LEVY: Whether what was the official Obama  
8 administration position?

9 MR. DOWNEY: That if they didn't fire--the Ukrainians  
10 didn't fire Prosecutor General Shokin, aid would be  
11 withheld?

12 MR. LEVY: At what point in time?

13 MR. DOWNEY: I think there's a discrepancy of when Vice  
14 President Biden made this comment, whether it was in late  
15 2015 or the spring of 2016.

16 MR. LEVY: So could you just rephrase the question with  
17 specificity as to the time period you're asking about?

18 MR. DOWNEY: When Vice President Biden threatened to  
19 withhold \$1 billion of aid, was that the Obama  
20 administration's position?

21 MR. LEVY: At what point in time?

22 MR. DOWNEY: In the fall of 2015.

23 MS. ZENTOS: I don't remember dates from when I was  
24 there 4-1/2 to 5-1/2 years ago at the NSC. What I can say  
25 is that, again, I have no recollection of Burisma or Hunter

1 Biden ever coming up in any context related to U.S.  
2 Government work, including a loan guarantee or conditions on  
3 it.

4 MR. DOWNEY: Thank you. Josh, if you have a couple  
5 questions, I'll turn it over to you. Thank you, Ms. Zentos.

6 MR. FLYNN-BROWN: Thank you, Ms. Zentos. Just a couple  
7 more questions, and I think we'll be done for the day. I  
8 appreciate your time today.

9 So, Ms. Zentos, do you know Alexandra Chalupa?

10 MS. ZENTOS: I do not believe so. I do not recall  
11 knowing Alexandra Chalupa.

12 MR. FLYNN-BROWN: Okay. Why don't we then turn to Tab  
13 J? That's Exhibit 27.

14 [Zentos Exhibit No. 27 was  
15 marked for identification.]

16 MR. FLYNN-BROWN: And once it's up, please let me know  
17 that you've reviewed it.

18 [Pause.]

19 MR. LEVY: Is this the document?

20 MR. FLYNN-BROWN: Yes, it is.

21 MR. LEVY: Can you scroll up?

22 [Pause.]

23 MR. LEVY: Scroll up, please.

24 [Pause.]

25 MR. LEVY: Scroll up, please.

1 [Pause.]

2 MR. LEVY: Scroll up, please.

3 [Pause.]

4 MS. ZENTOS: Apologies.

5 [Pause.]

6 MR. LEVY: Scroll up, please.

7 [Pause.]

8 MR. LEVY: Scroll up, please.

9 [Pause.]

10 MS. ZENTOS: Okay.

11 MR. LEVY: Okay.

12 MR. FLYNN-BROWN: On June 6, 2016, Oksana Shulyar  
13 thanked you for helping to arrange Mr. Lozhkin's visit to  
14 the White House and then invited you to attend an event at  
15 the Embassy of Ukraine--or that the Embassy of Ukraine was  
16 hosting. The meeting was held in collaboration with the  
17 House of Ukraine, which was co-chaired by Alexandra Chalupa.  
18 Do you know what the House of Ukraine is?

19 MR. LEVY: Before she answers that question, I just  
20 wanted to state that the email does not say a visit to the  
21 White House. It just says a visit, in terms of Mr.  
22 Lozhkin's visit. Do you want to note that for the question?

23 MR. FLYNN-BROWN: Noted. Thank you.

24 So the question is: What is the House of Ukraine?

25 MS. ZENTOS: I do not know what the House of Ukraine

1 is.

2 MR. FLYNN-BROWN: You've never attended an event hosted  
3 by the House of Ukraine?

4 MS. ZENTOS: I can say sitting here right now I have no  
5 idea what the House of Ukraine is. Have I attended--I don't  
6 recall--I don't recall if I attended an event. I received  
7 many invitations to many events while I was at the NSC.

8 MR. FLYNN-BROWN: Okay. Let's turn then to Exhibit 28.  
9 That will be Tab K.

10 [Zentos Exhibit No. 28 was  
11 marked for identification.]

12 MR. FLYNN-BROWN: After you're done reviewing, please  
13 let me know.

14 [Pause.]

15 MS. ZENTOS: Okay. Please scroll up.

16 [Pause.]

17 MS. ZENTOS: Okay.

18 [Pause.]

19 MS. ZENTOS: Okay.

20 [Pause.]

21 MS. ZENTOS: Okay.

22 [Pause.]

23 MS. ZENTOS: Okay.

24 [Pause.]

25 MR. LEVY: We've reviewed the document.

1 MR. FLYNN-BROWN: So you see at the top you responded  
2 by thanking Ms. Shulyar for the invitation and said you were  
3 going to--and said you were "going to attempt to make it."  
4 Do you recall if you made that event?

5 MR. LEVY: It's not the end of the quote. It continues  
6 and says, "I'm going to attempt to make it, although am  
7 worried I might be stuck here late tomorrow. I'll let you  
8 know tomorrow once I know for sure whether I can get away."

9 MR. FLYNN-BROWN: Do you recall if you were able to  
10 attend that event?

11 MS. ZENTOS: I don't recall for sure. I don't recall  
12 attending it. But I can't say for sure.

13 MR. FLYNN-BROWN: So with respect to Ms. Chalupa, is it  
14 correct that you do not recall ever meeting her or  
15 communicating with her?

16 MS. ZENTOS: I do not recall doing so.

17 MR. FLYNN-BROWN: So you never saw her at the White  
18 House?

19 MR. LEVY: She's told you she doesn't recall meeting  
20 her.

21 MS. ZENTOS: I do not know. I don't recall meeting  
22 her.

23 MR. FLYNN-BROWN: Last two questions. During the  
24 course of your employment in the Obama administration, did  
25 you ever have unauthorized contact with the media?

1 MS. ZENTOS: I did not.

2 MR. FLYNN-BROWN: During the course of your employment  
3 in the Trump administration, did you ever have unauthorized  
4 contact with the media?

5 MS. ZENTOS: I did not.

6 MR. FLYNN-BROWN: Thank you, Ms. Zentos.

7 MR. SCHRAM: Can we take 5? Joe, you're on mute. Joe,  
8 we can't hear you. I don't know if it's a microphone issue  
9 or a mute issue.

10 MR. FOLIO: Great. I just have a few wrap-up questions  
11 and points, but I wanted to turn it over to Zack since we're  
12 at the end of our hour if you have additional questions,  
13 Zack.

14 MR. SCHRAM: Joe, when you say "wrap-up," do you mean  
15 with respect to the line of questioning that you spent the  
16 previous hour on or overall wrap-up?

17 MR. FOLIO: Some overall wrap-up questions and then  
18 some overall wrap-up concluding remarks.

19 MR. SCHRAM: All right. Let's see. It's 5:41 now.  
20 Can you give us until 5:50, a break until 5:50? Then we'll  
21 have our round, and I expect, pending your remarks, that  
22 we'll be done.

23 MR. FOLIO: Okay.

24 [Recess.]

25 MR. SCHRAM: Ms. Zentos, thanks again for your time.

1 The majority asked you a series of questions about your  
2 meetings with Ukrainian officials. Was it a routine part of  
3 your responsibility to meet with officials of foreign  
4 governments within the portfolio of countries that you  
5 covered?

6 MS. ZENTOS: Yes. Yes, it was routine to meet with  
7 foreign government officials from the countries I covered.

8 MR. SCHRAM: In advance of foreign assignments,  
9 assignments overseas, is it routine for Foreign Service  
10 officers to receive defensive briefings about  
11 counterintelligence or disinformation threats they might  
12 face?

13 MS. ZENTOS: We might receive them in Washington before  
14 going, or we might receive it at post when we get there,  
15 depending on the situation.

16 MR. SCHRAM: I'm going to enter a series of letters  
17 into the record. These are provided to you and to the  
18 majority yesterday. The first is a December 17, 2019,  
19 letter from Ranking Members Feinstein, Peters, and Wyden, to  
20 Chairmen Graham, Johnson, and Grassley. We'll mark that as  
21 Exhibit G. If you'd just take a quick moment to--well, take  
22 as much time as you'd like to review this letter.

23 [Zentos Exhibit G was marked  
24 for identification.]

25 MR. LEVY: What's the date of the letter?

1 MR. SCHRAM: December 17th.

2 MR. LEVY: Okay.

3 MR. SCHRAM: The second paragraph of the December 17th  
4 letter says, "Allegations of Ukrainian interference in the  
5 2016 election are part of a Russian disinformation campaign.  
6 Dr. Fiona Hill, the former head of Russia and Ukraine policy  
7 for the National Security Council and formerly the top  
8 analyst for Russia at the National Intelligence Council,  
9 testified to Congress, with regard to these allegations:  
10 'This is a fictional narrative that is being perpetrated and  
11 propagated by the Russian security services themselves.'  
12 And Assistant Secretary of State George Kent testified that  
13 there's no evidence 'whatsoever' of wrongdoing by Vice  
14 President Biden."

15 This goes on to say, "We should not facilitate foreign  
16 interference in our 2020 election."

17 Marking as Exhibit H, a February 27, 2020, letter from  
18 Senator Peters to Chairman Johnson. I believe you also have  
19 a copy of that letter.

20 [Zentos Exhibit H was marked  
21 for identification.]

22 MR. SCHRAM: The second paragraph states, "I warned  
23 when this investigation began that '[w]e should not  
24 facilitate foreign interference in our 2020 election.' I  
25 remain concerned that the United States Senate and this

1 Committee could be used to further disinformation efforts by  
2 Russian or other actors. Because these efforts pose a  
3 threat to our national security, I have asked for the  
4 Committee to receive defensive briefings--specifically  
5 regarding Mr. Telizhenko--from relevant intelligence  
6 community and law enforcement officials, to ensure the  
7 Senate is not used to advance any disinformation campaigns."

8         Marking as Exhibit I a March 17, 2020, letter from  
9 Senator Peters to Chairman Johnson. The second paragraph  
10 states, "The subpoena request is inappropriate for a number  
11 of reasons: you have not fully pursued voluntary production  
12 of these records; you have not scheduled the intelligence  
13 briefings you agreed to; you risk continuing to amplify  
14 foreign election interference efforts; and your own public  
15 comments acknowledged that your investigation is at least  
16 partially targeted at influencing voters, `if I were a  
17 Democrat primary voter, I'd want these questions  
18 satisfactorily answered before I cast my final vote.'"

19                                 [Zentos Exhibit I was marked  
20                                 for identification.]

21         MR. SCHRAM: Marking as Exhibit J, a July 16, 2020,  
22 letter from Ranking Members Peters and Wyden to Chairmen  
23 Johnson and Grassley.

24                                 [Zentos Exhibit J was marked  
25                                 for identification.]

1 MR. SCHRAM: The first paragraph refers to the Post  
2 article we discussed earlier. "The Post reported that this  
3 lawmaker `studied under the KGB in Moscow in the early  
4 1990s' and that these efforts `suggest a new push by foreign  
5 forces to sway American voters in the run-up to the 2020  
6 election.'"

7 "Our staff requested this briefing in December 2019.  
8 Ranking Member Peters then requested a Member briefing after  
9 a classified staff briefing led to the cancellation of a  
10 Committee on Homeland Security and Governmental  
11 Affairs...vote to subpoena AndriI Telizhenko. Ranking  
12 Member Peters then made a motion asking for this briefing at  
13 the HSGAC May 20, 2020, business meeting before a vote  
14 authorizing a subpoena for some of the same information  
15 Chairman Johnson first sought from the canceled Telizhenko  
16 subpoena vote."

17 "As Committees charged with safeguarding our homeland  
18 security and financial systems, we have a responsibility to  
19 fully understand the national security and  
20 counterintelligence implications of foreign election  
21 interference and your ongoing investigative work. We ask  
22 that you please formally request, schedule, and prioritize  
23 this briefing for the Members of our Committees as soon as  
24 possible."

25 Ms. Zentos, do you see any reason why members of this

1 Committee should not be fully informed of Russian  
2 disinformation efforts?

3 MS. ZENTOS: I hope that we are all aware of Russia's  
4 ongoing disinformation efforts.

5 MR. SCHRAM: I'll wrap there. I wish you luck on your  
6 assignment. Again, we are appreciative that people like you  
7 are willing to take risks to defend the national security  
8 interests of this country.

9 Joe, with respect to the transcript of this interview,  
10 I just want to request that we be given an opportunity to  
11 review it in advance of publication for corrections or  
12 potentially redactions with respect to any information that  
13 is particularly sensitive or the publication of which would  
14 be contrary to the national security interests.

15 MR. FOLIO: Thanks, Zack.

16 Roy, while you still have the proverbial ball, could I  
17 please ask you to pull up--I can't remember what exhibit it  
18 was, but it was the Ukraine Caucus exhibit. I want to say  
19 it was Charlie, but I might be wrong on that.

20 [Pause.]

21 MR. FOLIO: Thank you, Roy. If you just wouldn't mind  
22 please scrolling down to the--

23 MR. SCHRAM: Joe, that's Exhibit E.

24 MR. FOLIO: Okay. Thank you. A little farther. Thank  
25 you.

1           So, Ms. Zentos, referring back to what minority staff  
2 has entered as Exhibit E, I'd ask you to please focus your  
3 attention on the penultimate sentence in the penultimate  
4 paragraph beginning, "We similarly urge you..."

5           The sentence reads, "We similarly urge you to press  
6 ahead with urgent reforms to the Prosecutor General's office  
7 and judiciary." Anywhere in that sentence, does that call  
8 for the firing of then-Prosecutor General Shokin?

9           MS. ZENTOS: I don't want to speculate on the meaning  
10 behind that sentence.

11          MR. FOLIO: It doesn't say that, though, does it? It  
12 doesn't say, "Please fire Prosecutor General Shokin"?

13          MR. LEVY: The sentence speaks for itself.

14          MR. FOLIO: Ms. Zentos, are you aware of Congress' push  
15 during your time on the National Security Council for lethal  
16 defensive weaponry to be provided to Ukraine?

17          MS. ZENTOS: Yes.

18          MR. FOLIO: Are you aware that Senator Johnson was a  
19 supporter of lethal weaponry being provided to Ukraine?

20          MS. ZENTOS: I don't think I was aware of his position.  
21 I don't recall.

22          MR. FOLIO: Did you work on the issue of whether  
23 defensive lethal weaponry should be provided to Ukraine  
24 during your time at the National Security Council staff?

25          MS. ZENTOS: As I noted, part of my portfolio included

1 helping defensive--helping Ukrainians receive defensive  
2 military equipment.

3 MR. FOLIO: During the time you were national security  
4 staff, did the U.S. Government provide lethal weaponry to  
5 Ukraine to defend itself in its conflict against Russia?

6 MS. ZENTOS: As far as I'm aware, while I was at the  
7 NSC, we provided defensive weaponry but not lethal weapons.

8 MR. FOLIO: Why not?

9 MS. ZENTOS: The decision--that was not my decision. I  
10 don't want to speculate on the exact reasons for that  
11 decision.

12 MR. FOLIO: Turning back to the last series of exhibits  
13 that the minority staff entered into the record, several of  
14 those exhibits made certain suggestions about Mr. Andriy  
15 Telizhenko. Assuming they're ever remotely true  
16 suggestions, how do they make you feel about your half-dozen  
17 meetings with Mr. Telizhenko during your time on the  
18 National Security Council staff?

19 MR. LEVY: She's here to answer questions that call for  
20 factual responses about what she knows and what she recalls.  
21 I don't think she's here to talk about her opinion or  
22 feelings.

23 MR. FOLIO: I'm just asking her to comment on  
24 information that the minority entered into the record  
25 without any questions about defensive briefings and Russian

1 disinformation during which they make several suggestions  
2 about someone you met multiple times when you worked on the  
3 National Security Council staff. I'm asking for your  
4 impression of that information with regard to a foreign  
5 official you met with multiple times.

6 MS. ZENTOS: I will just note that in general my job as  
7 a U.S. Foreign Service officer, as a career diplomat, is to  
8 meet with foreign government officials of all walks of life.  
9 I met with Russian Government officials frequently when  
10 posted to Russia. I assume I will meet with officials in  
11 Afghanistan. Part of our job is to listen to that  
12 information and then decide based on our knowledge and our  
13 analytical skills what's relevant, what's true, what's not.

14 MR. FOLIO: Just one second, please.

15 [Pause.]

16 MR. FOLIO: All right, Ms. Zentos. I think that's the  
17 end of our questions, but before we formally conclude, I  
18 just wanted to conclude by saying although we appreciate you  
19 appearing voluntarily to answer our questions, we remain  
20 quite disappointed that you did not answer most of our  
21 questions and refused to answer questions as simple as who  
22 was your supervisor at the National Security Council.

23 We're also disappointed that the overly narrow  
24 interpretation that your counsel took allegedly in the  
25 letter sent at 5:00 p.m. on Saturday, a day and a half

1 before the interview, was not something he chose to discuss  
2 with us ahead of time.

3       Mr. Levy, I think that we have a fairly robust record,  
4 but our disappointment is based on the fact that you  
5 asserted several privileges that are not based in law or in  
6 fact. There was a very incomplete discussion at best of  
7 your explanation for why the executive privilege would apply  
8 at all. There is no such thing as a First Amendment  
9 privilege, and you did not explain that. And for those  
10 reasons, we remain not only disappointed, but we are  
11 significantly concerned that this has frustrated the  
12 Committee's ability to discover what has and had not  
13 happened here. And at this point in time, we will be  
14 speaking with Chairman Johnson and Chairman Grassley, and I  
15 think they will have to consider alternative routes for  
16 getting this information, whether through voluntary or  
17 involuntary means. So I wanted to flag that for your  
18 attention just so we're clear.

19       MR. LEVY: Well, I would just like to wrap the day up  
20 by noting that Ms. Zentos has devoted the 2-1/2 weeks that  
21 she has been home in the United States between foreign  
22 assignments for the U.S. Government to prepare for and  
23 participate voluntarily in this interview, including  
24 spending over 8 hours today with staff answering questions.  
25 She came prepared to answer questions that were pertinent to

1 her understanding, our understanding of the scope of the  
2 investigation. And she struck the balance all day long  
3 between what was pertinent to our understanding of the  
4 Committees' investigation and her discretion as a former  
5 member of the national security staff.

6 As to the executive privilege, that is not our  
7 privilege to invoke. We are not aware that it has been  
8 invoked. I had no indication of that, and we were not  
9 asserting that.

10 As to her constitutional privilege under the First  
11 Amendment, she has plainly asserted that. I have done so on  
12 her behalf, and it is grounded in the law as a testimonial  
13 privilege before Congress. And in any event, as you note,  
14 this is a voluntary interview. No basis for declining to  
15 answer a question need be given. You've asked for one.  
16 It's not been always satisfactory to you. You've pressed  
17 your counsel on the legal justifications for some of the  
18 privileges that--the constitutional privilege that we  
19 asserted, and we have explained those grounds. They're all  
20 principled and just, and she should be commended for her  
21 voluntary cooperation, for her 8 hours today, and she is  
22 about to fly to Afghanistan to help serve all of us in less  
23 than 48 hours.

24 Thank you for your indulgences. And we would also like  
25 to reserve the right to review the transcript before it is

1 made public in any form, in excerpt form or in full, to make  
2 sure that we can review it for errata and any other  
3 considerations, including the considerations the minority  
4 set forth with regard to classification of information.

5 MR. FOLIO: We understand your request, and as I noted  
6 before, I don't think this interview would have taken 8  
7 hours had you reached out to us and we had a conversation  
8 about your unique interpretation of what Chairman Johnson  
9 and Chairman Grassley have been clear the investigation is  
10 focused on. Again, I think that we both have made a pretty  
11 robust record of where we stand on this issue. None of this  
12 is to detract from our well wishes for Ms. Zentos in  
13 preparing for her departure and her continued service in  
14 Afghanistan. So despite all these legal issues, we wish you  
15 well.

16 Thank you.

17 MS. ZENTOS: Thank you.

18 MR. LEVY: Yeah, and, Joe, just with respect, I don't  
19 believe the delay today was caused by any inability of mine  
20 to call you up about a letter that you received and  
21 responded to. It didn't ask for any clarification of it. I  
22 think that the delays in the main today occurred because of  
23 the way in which documents were handled. And we had asked  
24 for copies of those documents ahead of time or in real time.  
25 You declined those requests. And so scrolling through

1 documents took an awful lot of time today, and part of that  
2 is a function of COVID-19, and I understand that. And it's  
3 the Committees' call as to whether it wants to share  
4 documents with a witness before an investigation interview  
5 or during it, and you declined to do that. And we've made  
6 those requests, we've made those objections, and I  
7 respectfully disagree with your characterization of why we  
8 had delays today.

9 MR. FOLIO: Although the document issue certainly could  
10 have been more efficient, I think we spent about an hour  
11 trying to understand your claim of privilege and relevancy  
12 and pertinency, and I will just end by noting that if you  
13 would have written a letter on Saturday evening, a day and a  
14 half before the interview, making it clear that Ms. Zentos  
15 would refuse to answer questions such as, "Who is your  
16 supervisor?" and "For whom does this U.S. official"--"what  
17 agency do they work at?" we probably could have had a  
18 conversation and made it clear. But I think that you chose  
19 just instead to quote something back to us to provide  
20 yourself with the opportunity to make these broad-based  
21 objections, which is why I think we have taken the position  
22 that this has not advanced the investigation, in fact,  
23 probably served more to frustrate it.

24 MR. LEVY: We disagree.

25 MR. FOLIO: Fine. Thank you both for your time.

1 Unless anyone has anything else, we will conclude this.

2 Thank you very much, Ms. Gray. Thank you very much,

3 Ms. Zentos. Thank you, Josh.

4 [Whereupon, at 6:11 p.m., the interview was concluded.]

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## Hunter Biden joins the team of Burisma Holdings



Press release

London, 12 May, 2014

### **Burisma Holdings, Ukraine's largest private gas producer, has expanded its Board of Directors by bringing on Mr. R Hunter Biden as a new director.**

R. Hunter Biden will be in charge of the Holdings' legal unit and will provide support for the Company among international organizations. On his new appointment, he commented: "Burisma's track record of innovations and industry leadership in the field of natural gas means that it can be a strong driver of a strong economy in Ukraine. As a new member of the Board, I believe that my assistance in consulting the Company on matters of transparency, corporate governance and responsibility, international expansion and other priorities will contribute to the economy and benefit the people of Ukraine."

The Chairman of the Board of Directors of Burisma Holdings, Mr. Alan Apter, noted: "The company's strategy is aimed at the strongest concentration of professional staff and the introduction of best corporate practices, and we're delighted that Mr. Biden is joining us to help us achieve these goals."

R. Hunter Biden is a counsel to Boies, Schiller & Flexner LLP, a national law firm based in New York, USA, which served in cases including "Bush vs. Gore", and "U.S. vs. Microsoft". He is one of the co-founders and a managing partner of the investment advisory company Rosemont Seneca Partners, as well as chairman of the board of Rosemont Seneca Advisors. He is an Adjunct Professor at Georgetown University's Masters Program in the School of Foreign Service.

Mr. Biden has experience in public service and foreign policy. He is a director for the U.S. Global Leadership Coalition, The Center for National Policy, and the Chairman's Advisory Board for the National Democratic Institute. Having served as a Senior Vice President at MBNA bank, former U.S. President Bill Clinton appointed him an Executive Director of E-Commerce Policy Coordination under Secretary of Commerce William Daley. Mr. Biden served as Honorary Co-Chair of the 2008 Obama-Biden Inaugural Committee.

Mr. Biden is a member of the bar in the State of Connecticut, the District of Columbia, the U.S. Supreme Court and the Court of Federal Claims. He received a Bachelor's degree from Georgetown University, and a J.D. from Yale Law School.

R. Hunter Biden is also a well-known public figure. He is chairman of the Board of the World Food Programme USA which works together with the world's largest humanitarian organization, the United Nations World Food Programme. In this capacity he offers assistance to the poor in developing countries, fighting hunger and poverty, and helping to provide food and education to 300 million malnourished children around the world.

*Company Background:*

Burisma Holdings is a privately owned oil and gas company with assets in Ukraine and operating in the energy market since 2002. To date, the company holds a portfolio with permits to develop fields in the Dnieper-Donets, the Carpathian and the Azov-Kuban basins. In 2013, the daily gas production grew steadily and at year-end amounted to 11.6 thousand BOE (barrels of oil equivalent – incl. gas, condensate and crude oil), or 1.8 million m3 of natural gas. The company sells these volumes in the domestic market through traders, as well as directly to final consumers.

For more information contact the press office at [media@burisma.com](mailto:media@burisma.com)



# United States Senate

WASHINGTON, DC 20510

April 30, 2020

The Honorable Michael R. Pompeo  
Secretary of State  
2201 C Street, NW  
Washington, DC 20520

Dear Secretary Pompeo:

As we explained to you in our letter on November 6, 2019, the Committee on Homeland Security and Governmental Affairs and the Committee on Finance (the Committees) continue to examine potential conflicts of interest relating to the Obama administration's policy decisions with respect to Ukraine and Burisma Holdings. In addition, the Committees are examining the extent to which representatives of Burisma used individuals with close personal connections to high-level officials within the Obama administration to gain access to and potentially influence U.S. government agencies.

Based on the Committees' review of material produced by the State Department and by other agencies and related entities, we respectfully request the following additional records<sup>1</sup> and information related to this matter:

1. Please make the following State Department employees available for an interview:
  - a. Ambassador Bridget Brink;
  - b. Ambassador Geoffrey Pyatt;
  - c. George Kent; and
  - d. Elisabeth Zentos.
2. All records, including call transcripts and summaries, related to then-Vice President Biden's phone calls with then-President of Ukraine Petro Poroshenko from March 2015 through April 2016, especially with regard to any mention of the Ukrainian Prosecutor General's investigation of Burisma or Viktor Shokin.
3. All records between then-Vice President Biden or his office and President Poroshenko or his office after the raid on Mykola Zlochevsky's home on February 2, 2016, until the dismissal of Prosecutor General Viktor Shokin on March 29, 2016.
4. Please provide all State Department records related to the Department's assessment of Viktor Shokin, the former Prosecutor General of Ukraine, including, but not limited to:
  - a. The decision to seek his removal from office, including when that decision was made;

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<sup>1</sup> "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

The Honorable Michael R. Pompeo

April 30, 2020

Page 2

- b. When and how that decision was communicated to the Ukrainian government;
  - c. Discussions relating to the Department's or the administration's view of Shokin's effectiveness as prosecutor general;
  - d. Discussions regarding whether Shokin was implementing anti-corruption measures in Ukraine; and
  - e. Whether officials believed Shokin was an obstacle to Ukrainian reforms.
5. Former Vice President Biden previously expressed that he wanted Prosecutor General Viktor Shokin fired.<sup>2</sup> When did the United States government determine that Shokin should be removed? Please explain the justification for that decision and how and when that determination was communicated to the Ukrainian government.

We request this material and to arrange interviews with these individuals as soon as possible but no later than May 14, 2020.

We anticipate that your written response and most of the responsive documents will be unclassified. Please send all unclassified material directly to the Committees. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. The Committees comply with all laws and regulations governing the handling of classified information. The Committees are not bound, absent their prior agreement, by any handling restrictions or instructions on unclassified information unilaterally asserted by the Executive Branch.

If you have any questions about this request, please ask your staff to contact Brian Downey and Scott Wittmann of Chairman Johnson's staff at (202) 224-4751, and Joshua Flynn-Brown of Chairman Grassley's staff at (202) 224-4515. Thank you for your attention to this matter.

Sincerely,



Ron Johnson  
Chairman  
Committee on Homeland Security and  
Governmental Affairs



Charles E. Grassley  
Chairman  
Committee on Finance

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<sup>2</sup> Erielle Davidson, *Watch Joe Biden Brag About Bribing Ukraine to Fire The Prosecutor Investigating His Son's Company*, The Federalist, Sept. 24, 2019, <https://thefederalist.com/2019/09/24/watch-joe-biden-brag-about-bribing-ukraine-to-fire-the-prosecutor-investigating-his-sons-company/>.

United States Senate  
WASHINGTON, DC 20510

November 6, 2019

The Honorable Michael R. Pompeo  
Secretary of State  
2201 C Street, NW  
Washington, DC 20520

Dear Secretary Pompeo:

In April 2014, Vice President Biden reportedly became the “public face of the administration’s handling of Ukraine.”<sup>1</sup> Around the same time, the Vice President’s son, Hunter Biden, and his business associate, Devon Archer, both began serving on the board of Burisma Holdings, a Ukrainian energy company.<sup>2</sup> According to the *New York Times*, Hunter Biden, “would be paid as much as \$50,000 per month in some months for his work for the company.”<sup>3</sup>

E-mails obtained and publicly released through the Freedom of Information Act (FOIA) show that, at the time Hunter Biden and Devon Archer joined Burisma, their other business partner, Christopher Heinz, the stepson to then-Secretary of State John Kerry, e-mailed senior State Department officials about the announcement with concern.<sup>4</sup> Specifically, on May 13, 2014, Heinz wrote to Special Assistant Matt Summers and Chief of Staff David Wade:

Apparently Devon and Hunter both joined the board of Burisma and a press release went out today. I cant [sic] speak why they decided to, but there was no investment by our firm in their company.<sup>5</sup>

Heinz has also been quoted through his spokesman as saying he “strongly warned Mr. Archer that working with Burisma was unacceptable” and “[t]he lack of judgment in this matter was a major catalyst for Mr. Heinz ending his business relationships with Mr. Archer and Mr. Biden.”<sup>6</sup>

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<sup>1</sup> Susan Crabtree, *Joe Biden emerges as Obama’s trusty sidekick*, Wash. Examiner, Apr. 25, 2014, <https://www.washingtonexaminer.com/joe-biden-emerges-as-obamas-trusty-sidekick>.

<sup>2</sup> Kenneth P. Vogel and Iuliia Mendel, *Biden Faces Conflict of Interest Questions That Are Being Promoted by Trump Allies*, N.Y. Times, May 1, 2019, <https://www.nytimes.com/2019/05/01/us/politics/biden-son-ukraine.html>.

<sup>3</sup> *Id.*

<sup>4</sup> According to reports, Christopher Heinz and Devon Archer founded Rosemont Capital, a private equity firm. Hunter Biden, Christopher Heinz, and Devon Archer founded Rosemont Seneca Partners. Adam Entous, *Will Hunter Biden Jeopardize His Father’s Campaign?* New Yorker, July 1, 2019, <https://www.newyorker.com/magazine/2019/07/08/will-hunter-biden-jeopardize-his-fathers-campaign>.

<sup>5</sup> Email from Chris Heinz to Matt Summers & David Wade, U.S. State Dep’t (May 13, 2014), <https://www.scribd.com/document/433436789/CU-v-State-FOIA-Doc-Ukraine>; see also Alana Goodman, *John Kerry’s son cut business ties with Hunter Biden over Ukrainian oil deal*, Wash. Examiner, Aug. 27, 2019, <https://www.washingtonexaminer.com/politics/john-kerrys-son-cut-business-ties-with-hunter-biden-over-ukrainian-oil-deal>.

<sup>6</sup> Paul Sonne, Michael Kranish, Matt Viser, *The gas tycoon and the vice president’s son: The story of Hunter Biden’s foray into Ukraine*, The Washington Post (Sept. 29, 2019), <https://www.msn.com/en-us/news/world/the-gas-tycoon-and-the-vice-president-s-son-the-story-of-hunter-biden-s-foray-into-ukraine/ar-AAHZFB6>.

According to the *Times*, “Hunter Biden’s work for Burisma prompted concerns among State Department officials at the time that the connection could complicate Vice President Biden’s diplomacy in Ukraine[.]”<sup>7</sup> Based on this report, it is unclear the extent to which State Department officials expressed these concerns formally and what, if any, action the Department took to address them.

In 2016, while Hunter Biden and Devon Archer were both working for Burisma Holdings, Ukraine’s top prosecutor was conducting an investigation into the company and its owner.<sup>8</sup> The *Times* reported that, in 2016, Vice President Biden “threatened to withhold \$1 billion in United States loan guarantees if Ukraine’s leaders did not dismiss the country’s [Prosecutor General Viktor Shokin].”<sup>9</sup> Ukraine’s parliament voted to dismiss Shokin after Vice President Biden called for his removal.<sup>10</sup>

Indeed, Vice President Biden later bragged about how he was responsible for Shokin’s firing:

...we’re not going to give you the billion dollars. They said, you have no authority. You’re not the president. The president said—I said, call him. I said, I’m telling you, you’re not getting the billion dollars. I said, you’re not getting the billion. I’m going to be leaving here in, I think it was about six hours. I looked at them and said: I’m leaving in six hours. If the prosecutor is not fired, you’re not getting the money. Well, son of a b-tch. He got fired. And they put in place someone who was solid at the time.<sup>11</sup>

E-mails recently obtained and made public through a FOIA request indicate that Burisma’s consulting firm used Hunter Biden’s role on Burisma’s board to gain access and potentially influence matters at the State Department. In a February 24, 2016, email with the subject line “Burisma,” a State Department official wrote:

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<sup>7</sup> Kenneth P. Vogel and Iuliia Mendel, *Biden Faces Conflict of Interest Questions That Are Being Promoted by Trump Allies*, N.Y. Times, May 1, 2019, <https://www.nytimes.com/2019/05/01/us/politics/biden-son-ukraine.html>.

<sup>8</sup> *Id.*; Oleg Sukhov, *Powerful suspects escape justice on Lutsenko’s watch*, Kyiv Post, Apr. 13, 2018, <https://www.kyivpost.com/ukraine-politics/powerful-suspects-escape-justice-lutsenkos-watch.html?cn-reloaded=1>.

<sup>9</sup> Another report indicates that Vice President Biden made this threat in late 2015. *See e.g.*, Kenneth P. Vogel and Iuliia Mendel, *Biden Faces Conflict of Interest Questions That Are Being Promoted by Trump Allies*, N.Y. Times, May 1, 2019, <https://www.nytimes.com/2019/05/01/us/politics/biden-son-ukraine.html>; Glen Kessler, *Correcting a media error: Biden’s Ukraine showdown was in December 2015*, Wash. Post, Oct. 2, 2019, <https://www.washingtonpost.com/politics/2019/10/02/correcting-media-error-bidens-ukraine-showdown-was-december/>.

<sup>10</sup> *Prosecutor General Shokin dismissed officially*, Unian, Apr. 3, 2016, <https://www.unian.info/politics/1308082-prosecutor-general-shokin-dismissed-officially.html>.

<sup>11</sup> Erielle Davidson, *Watch Joe Biden Brag About Bribing Ukraine to Fire The Prosecutor Investigating His Son’s Company*, The Federalist, Sept. 24, 2019, <https://thefederalist.com/2019/09/24/watch-joe-biden-brag-about-bribing-ukraine-to-fire-the-prosecutor-investigating-his-sons-company/>.

Per our conversation, Karen Tramontano of Blue Star Strategies requested a meeting to discuss with [Under Secretary] Novelli [U.S. Government] remarks alleging Burisma (Ukrainian energy company) of corruption. **She noted that two high profile U.S. citizens are affiliated with the company (including Hunter Biden as a board member). Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that the company is corrupt.** According to Tramontano, there is no evidence of corruption, has been no hearing or process, and evidence to the contrary has not been considered. Would appreciate any background you may be able to provide on this issue and suggested TPs for U/S Novelli's meeting.<sup>12</sup>

Although it is not clear if Under Secretary Novelli met with Karen Tramontano on March 1, 2016, as planned, later that month Tramontano and other members of Burisma's legal team reportedly met with Ukrainian prosecutors.<sup>13</sup> According to what appears to be contemporaneous notes by one of those Ukrainian prosecutors, during that meeting, Burisma's legal team apologized about what they alleged to be "false information" promoted by the U.S. Government about the prosecutors' handling of the investigation of Burisma.<sup>14</sup>

Additionally, other documents obtained and made public through FOIA show other meetings that Burisma board members Hunter Biden and Devon Archer scheduled with high-ranking State Department officials. In May 2015, Hunter Biden asked to meet then-Deputy Secretary of State Antony Blinken to "get [his] advice on a couple of things" and again for lunch on July 22, 2015.<sup>15</sup> On March 2, 2016, just one day after Tramontano was scheduled to meet with Under Secretary Novelli about Burisma, Devon Archer was scheduled to meet with Secretary of State John Kerry.<sup>16</sup>

To better understand what actions, if any, the Obama administration took to ensure that policy decisions relating to Ukraine and Burisma were not improperly influenced by the employment and financial interests of family members, please provide the following information no later than November 20, 2019:

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<sup>12</sup> John Solomon, *Hunter Biden's Ukraine gas firm pressed Obama administration to end corruption allegations, memos show*, johnsolomonreports.com, Nov. 4, 2019, <https://johnsolomonreports.com/hunter-bidens-ukraine-gas-firm-pressed-obama-administration-to-end-corruption-allegations-memos-show/> (emphasis added).

<sup>13</sup> John Solomon, *These once-secret memos cast doubt on Joe Biden's Ukraine story*, The Hill, Sept. 26, 2019, <https://thehill.com/opinion/campaign/463307-solomon-these-once-secret-memos-cast-doubt-on-joe-bidens-ukraine-story>.

<sup>14</sup> *Id.*

<sup>15</sup> Emails between Hunter Biden and U.S. State Dep't Officials (May 2015), <https://www.scribd.com/document/433389212/Biden-Blinken-Meeting>.

<sup>16</sup> Email between U.S. State Dep't Officials (Mar. 2, 2016), <https://www.scribd.com/document/433389208/Archer-Meeting-Kerry>.

1. All State Department records<sup>17</sup> relating to Hunter Biden, Devon Archer, Christopher Heinz, and Karen Tramontano.
2. All State Department records relating to Burisma Holdings, Rosemont Seneca Partners, Rosemont Seneca Bohai LLC, Rosemont Capital, and Blue Star Strategies.
3. Based on the February 24, 2016 e-mail cited above, it appears that Tramontano wanted to meet with then-Under Secretary Novelli. Did this meeting occur? If so, when and who attended? Please produce all records relating to the meeting.
4. With respect to the March 2, 2016, meeting between Devon Archer and Secretary Kerry, did that meeting take place? If so, when did it occur, what was it about, and who attended? Please produce all records relating to the meeting.
5. With respect to the May 27, 2015, and July 22, 2015, meetings between Hunter Biden and Antony Blinken, did these meetings take place? If so, when did it occur, what was it about, and who attended? Please produce all records relating to the meeting.
6. In the February 24, 2016 e-mail cited above, a State Department employee wrote that, “Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that [Burisma] is corrupt.” Based on this e-mail, it appears that the U.S. had “determin[ed]” Burisma to be corrupt. Is this accurate? Please explain.
7. Has the State Department requested that the Office of the Legal Adviser or the Office of Inspector General review potential concerns and conflicts of interest related to Hunter Biden’s work for Burisma while Vice President Biden reportedly acted as the United States’ top official in Ukraine? If not, why not?

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate “the efficiency, economy, and effectiveness of all agencies and departments of the Government.”<sup>18</sup> Additionally, Senate Resolution 70 (116th Congress) authorizes the Committee to examine “the efficiency and economy of operations of all branches and functions of the Government with particular references to (i) the effectiveness of present national security methods, staffing, and processes[.]”<sup>19</sup>

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<sup>17</sup> “Records” include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

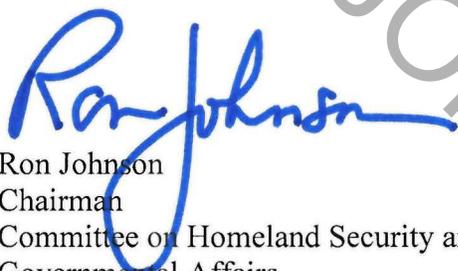
<sup>18</sup> S. Rule XXV; *see also* S. Res. 445, 108th Cong. (2004).

<sup>19</sup> S. Res. 70, 116th Cong. § 12(e)(1)(E) (2019).

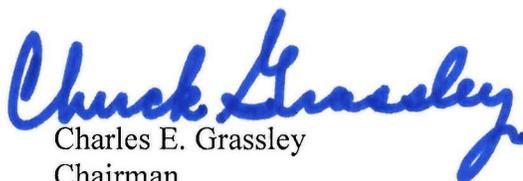
We anticipate that your written response and most of the responsive documents will be unclassified. Please send all unclassified material directly to the Committees. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. The Committees comply with all laws and regulations governing the handling of classified information. The Committees are not bound, absent their prior agreement, by any handling restrictions or instructions on unclassified information unilaterally asserted by the Executive Branch.

If you have any questions about this request, please ask your staff to contact Brian Downey and Scott Wittmann of Chairman Johnson's staff at (202) 224-4751 or Joshua Flynn-Brown of Chairman Grassley's staff at (202) 224-4515. Thank you for your attention to this matter.

Sincerely,



Ron Johnson  
Chairman  
Committee on Homeland Security and  
Governmental Affairs



Charles E. Grassley  
Chairman  
Committee on Finance

HS MAJORITY STAFF EXHIBIT

## Joe Biden, His Son and the Case Against a Ukrainian Oligarch

By James Risen

Dec. 8, 2015

WASHINGTON — When Vice President Joseph R. Biden Jr. traveled to Kiev, Ukraine, on Sunday for a series of meetings with the country's leaders, one of the issues on his agenda was to encourage a more aggressive fight against Ukraine's rampant corruption and stronger efforts to rein in the power of its oligarchs.

But the credibility of the vice president's anticorruption message may have been undermined by the association of his son, Hunter Biden, with one of Ukraine's largest natural gas companies, Burisma Holdings, and with its owner, Mykola Zlochevsky, who was Ukraine's ecology minister under former President Viktor F. Yanukovich before he was forced into exile.

Hunter Biden, 45, a former Washington lobbyist, joined the Burisma board in April 2014. That month, as part of an investigation into money laundering, British officials froze London bank accounts containing \$23 million that allegedly belonged to Mr. Zlochevsky.

Britain's Serious Fraud Office, an independent government agency, specifically forbade Mr. Zlochevsky, as well as Burisma Holdings, the company's chief legal officer and another company owned by Mr. Zlochevsky, to have any access to the accounts.

But after Ukrainian prosecutors refused to provide documents needed in the investigation, a British court in January ordered the Serious Fraud Office to unfreeze the assets. The refusal by the Ukrainian prosecutor general's office to cooperate was the target of a stinging attack by the American ambassador to Ukraine, Geoffrey R. Pyatt, who called out Burisma's owner by name in a speech in September.

"In the case of former Ecology Minister Mykola Zlochevsky, the U.K. authorities had seized \$23 million in illicit assets that belonged to the Ukrainian people," Mr. Pyatt said. Officials at the prosecutor general's office, he added, were asked by the United Kingdom "to send documents supporting the seizure. Instead they sent letters to Zlochevsky's attorneys attesting that there was no case against him. As a result, the money was freed by the U.K. court, and shortly thereafter the money was moved to Cyprus."

Mr. Pyatt went on to call for an investigation into "the misconduct" of the prosecutors who wrote the letters. In his speech, the ambassador did not mention Hunter Biden's connection to Burisma.

But Edward C. Chow, who follows Ukrainian policy at the Center for Strategic and International Studies, said the involvement of the vice president's son with Mr. Zlochevsky's firm undermined the Obama administration's anticorruption message in Ukraine.

"Now you look at the Hunter Biden situation, and on the one hand you can credit the father for sending the anticorruption message," Mr. Chow said. "But I think unfortunately it sends the message that a lot of foreign countries want to believe about America, that we are hypocritical about these issues."

Kate Bedingfield, a spokeswoman for the vice president, said Hunter Biden's business dealings had no impact on his father's policy positions in connection with Ukraine.

"Hunter Biden is a private citizen and a lawyer," she said. "The vice president does not endorse any particular company and has no involvement with this company. The vice president has pushed aggressively for years, both publicly with groups like the U.S.-Ukraine Business Forum and privately in meetings with Ukrainian leaders, for Ukraine to make every effort to investigate and prosecute corruption in accordance with the rule of law. It will once again be a key focus during his trip this week."

Ryan F. Toohey, a Burisma spokesman, said that Hunter Biden would not comment for this article.

It is not known how Mr. Biden came to the attention of the company. Announcing his appointment to the board, Alan Apter, a former Morgan Stanley investment banker who is chairman of Burisma, said, "The company's strategy is aimed at the strongest concentration of professional staff and the introduction of best corporate practices, and we're delighted that Mr. Biden is joining us to help us achieve these goals."

Joining the board at the same time was one of Mr. Biden's American business partners, Devon Archer. Both are involved with Rosemont Seneca Partners, an American investment firm with offices in Washington.

Mr. Biden is the younger of the vice president's two sons. His brother, Beau, died of brain cancer in May. In the past, Hunter Biden attracted an unusual level of scrutiny and even controversy. In 2014, he was discharged from the Navy Reserve after testing positive for cocaine use. He received a commission as an ensign in 2013, and he served as a public affairs officer.

Before his father was vice president, Mr. Biden also briefly served as president of a hedge fund group, Paradigm Companies, in which he was involved with one of his uncles, James Biden, the vice president's brother. That deal went sour amid lawsuits in 2007 and 2008 involving the Bidens and an erstwhile business partner. Mr. Biden, a graduate of Georgetown University and Yale Law School, also worked

as a lobbyist before his father became vice president.

Burisma does not disclose the compensation of its board members because it is a privately held company, Mr. Toohey said Monday, but he added that the amount was “not out of the ordinary” for similar corporate board positions.

Asked about the British investigation, which is continuing, Mr. Toohey said, “Not only was the case dismissed and the company vindicated by the outcome, but it speaks volumes that all his legal costs were recouped.”

In response to Mr. Pyatt’s criticism of the Ukrainian handling of Mr. Zlochevsky’s case, Mr. Toohey said that “strong corporate governance and transparency are priorities shared both by the United States and the leadership of Burisma. Burisma is working to bring the energy sector into the modern era, which is critical for a free and strong Ukraine.”

Vice President Biden has played a leading role in American policy toward Ukraine as Washington seeks to counter Russian intervention in Eastern Ukraine. This week’s visit was his fifth trip to Ukraine as vice president.

Ms. Bedingfield said Hunter Biden had never traveled to Ukraine with his father. She also said that Ukrainian officials had never mentioned Hunter Biden’s role with Burisma to the vice president during any of his visits.

“I’ve got to believe that somebody in the vice president’s office has done some due diligence on this,” said Steven Pifer, who was the American ambassador to Ukraine from 1998 to 2000. “I should say that I hope that has happened. I would hope that they have done some kind of check, because I think the vice president has done a very good job of sending the anticorruption message in Ukraine, and you would hate to see something like this undercut that message.”

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A version of this article appears in print on Dec. 9, 2015, Section A, Page 22 of the New York edition with the headline: The Vice President, His Son and the Case Against a Ukrainian Oligarch



**Agenda for Examination of the US Adversarial Criminal Justice System for senior-level Ukrainian prosecutors**  
**January 18 – January 23, 2016**  
**Washington, DC**

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**Points of Contact:**

Catherine Newcombe: (202) 436 6885 catherine.newcombe@usdoj.gov

Rob Hurtekant: (214) 458 7707 rob.hurtekant@usdoj.gov

**Monday, January 18, 2016**

Delegation Arrives in Washington, D.C.

Airport transfer to: **JW Marriot**, 1331 Pennsylvania Ave N. W. Washington, DC 20004

**Tuesday, January 19, 2016**

- 9:45 Meeting in the hotel to discuss the program
- 10:10 Depart hotel
- 11:00 – 12:00 **Meeting with Eric Ciaramella, Elizabeth Zentos and others TBD, National Security Council - Confirmed**  
*Location:* 1600 Pennsylvania Ave NW  
*POCs:* Eric Ciaramella – (202) 456-9106  
 Elizabeth Zentos – (202) 456-9158
- 13:00 – 14:00 **Meeting with Kenneth Blanco, Deputy Assistant Attorney General and Bruce Swartz, Counsel to the Attorney General for International Affairs, U. S. Department of Justice - Confirmed**  
*Location:* 950 Pennsylvania Avenue NW, Suite 4706  
*POC:* Denise Turcotte (202) 616-9318  
 (202) 314- 2333
- 15:00 – 16:00 **Meeting with FBI – TBC**  
*Location:* TBC
- 16:00 – 17:00 **Meeting with OPDAT/DOJ - Confirmed**  
*Location:* 1331 F Street NW, Room 745  
*POC:* Rob Hurtekant: (214) 458 7707

**Wednesday, January 20, 2015**

- 10:00 Depart hotel
- 10:30 – 12:00 **Meeting with Michael E. Horowitz, Inspector General of US Department of Justice and Robert Storch, Deputy Inspector General of US Department of Justice – Confirmed**

*Location:* 1425 New York Avenue, NW

Point of Contact: Rob Storch, (202) 532-6980, [robert.p.storch@usdoj.gov](mailto:robert.p.storch@usdoj.gov)

Point of Contact: Pat Brantley, (202) 514-3435 (receptionist)

12:15 – 13:15

**Lunch**

14:00 – 15:00

**Meeting with Raymond Hulser, Chief of the Public Integrity Section, US Department of Justice – Confirmed**

*Location:* 1400 New York Ave. NW, 12<sup>th</sup> Floor

Point of Contact: Peter Koski, tel. 202 524 1412

15:30 – 16:30

**Operational meeting with FBI – Confirmed**

*Location:* 1400 New York Ave. NW, 9<sup>th</sup> Floor

*POC:* Mary Butler – (202) 598- 6711  
(202) 538-0394

**Thursday, January 21, 2015**

08:45

Depart hotel

09:45 – 10:45

**Meeting with James A. Walsh, Deputy Assistant Secretary of State - Confirmed**

*Location:* 2201 C St NW

*POC:* Adriana Cosgriff - (202)647-0777

11:00 – 11:45

**Meeting with Bridget A. Brink Deputy Assistant Secretary of State - Confirmed**

*Location:* 2201 C St NW

*POC:* Jamie Gusack - (202 )647-4117

12:00 – 13:00

**Lunch**

13:00 – 14:00

**Meeting with Jonathan Katz, Deputy Assistant Administrator for the Bureau for Europe and Eurasia, USAID and Tomas Melia, Assistant Administrator of the United States Agency for International Development - Confirmed**

*Location:* 301 4<sup>th</sup> Street, SW (Federal Center Bldg), room 247-SA-44, Washington, DC 20004

*POC:* Michelle Sadler - (202)567-4005

15:00 – 16:00

**Meeting with Mary Rodriguez, Chief of Office of International Affairs and Jason Carter, Associate Director of Office of International Affairs, US Department of Justice - Confirmed**

*Location:* 1301 New York Ave. NW. Washington D.C 20530

*POC:* Jason Carter tel. (202)514 -0000

**Friday, January 22, 2015**

**Check out from the hotel**

001757

13:50-14:05

**Depart for airport**

15:00

**AIRPORT DROP OFF: *TBC***

HSGAC MAJORITY STAFF EXHIBIT

# Senators Seek Interviews on Reported Coordination between Ukrainian Officials, DNC Consultant to Aid Clinton in 2016 Elections

*Alleged foreign interference, collusion demand due scrutiny*

Friday, December 6, 2019

**WASHINGTON** – Homeland Security and Governmental Affairs Chairman Ron Johnson (R-Wis.), Senate Finance Committee Chairman Chuck Grassley (R-Iowa) and Senate Judiciary Committee Chairman Lindsey Graham (R-S.C.) are seeking records from and transcribed staff interviews with two individuals reportedly involved in an effort by Ukrainian embassy officials to undermine the Trump campaign in the 2016 election. The interview and records requests are a continuation of an inquiry that Grassley [launched in 2017](#) following [news reports](#) that a Democratic National Committee (DNC) consultant solicited derogatory information on the Trump campaign from Ukrainian embassy officials prior to the 2016 election. According to those reports, elements of the Ukrainian government were actively working to undermine candidate Trump's electoral prospects in favor of Hillary Clinton.

"Contrary to the popular narrative in the 'main stream media' that Ukrainian involvement in the 2016 election has been debunked, or 'no evidence exists,' there are many unanswered questions that have festered for years. One of the reasons our nation remains so divided is the disconnect between those who are curious about any and all possible foreign interference and those who are not. Those who are curious, have a legitimate and understandable desire to know if wrongdoing occurred. The American public also has a right to know if no wrongdoing occurred. The sooner we get answers to the many unanswered questions, the sooner we can turn our attention to the many challenges our nation faces," **Johnson said.**

"Election interference by any foreign entity is a serious matter. Since the last presidential election, our nation rightly expended significant resources to examine allegations of collusion and foreign interference by Russia to influence the outcome. While there was no collusion between the Trump campaign and Russia, we know that Russia meddled in our democratic processes. However, certain reports of collusion and interference involving Ukrainian officials have not been sufficiently examined, and the few answers that have been given are inadequate. With another election right around the corner, choosing to ignore these matters or conflating them with separate, uncorroborated allegations is no way to adequately safeguard the sanctity of our elections," **Grassley said.**

"To believe that the mainstream media will investigate all things Russia or Ukraine is to hope against hope. The hacking of the Democratic National Committee's emails was done by the Russians and no one else. Whether there's a connection between Democratic operatives and Ukrainian officials during the 2016 election has yet to be determined. It will only be found by looking. We intend to look," **said Graham.**

In addition to the production of relevant records, Johnson, Grassley and Graham are requesting staff-led transcribed interviews with then-DNC consultant Alexandra Chalupa, who reportedly solicited damaging information on Trump campaign associates and lobbied Congress to launch a congressional investigation months before the election. They are also seeking a similar interview with Andrii Telizhenko, a political officer within the Ukrainian embassy at the time. According to reports, Telizhenko was ordered to assist in an off-the-books investigation into ties between the Trump campaign and Russia he said was being coordinated between Ukrainian officials and "the Hillary team." That investigation included then-Trump campaign advisor Paul Manafort's prior business dealings in the region. A [CBS News analysis](#) of the reported arrangement noted that "it's deeply unusual for an American campaign to be working with foreign assets like this, regardless of whether it's Ukraine or Russia."

Grassley and Johnson recently requested information from the National Archives and Records Administration regarding [White House meetings](#) in 2016 that included representatives from the Obama administration, Ukrainian government and the DNC. They also requested Justice Department records related to the [FBI's interactions with Chalupa](#). The senators' inquiries are unrelated to an uncorroborated theory that Ukraine was also behind the hack of DNC servers. U.S. intelligence officials and Special Counsel Robert Mueller's investigation found that Russia was responsible for the DNC hack.

Grassley, Johnson, and Graham also have outstanding requests (see [here](#), [here](#), [here](#), and [here](#)) related to potential conflicts of interest and political influence by Ukrainian elements, including the natural gas firm Burisma, which employed as a board member Hunter Biden while his father was the U.S. vice president and public face of the Obama administration's handling of Ukraine. Additional records and interviews related to these matters may also be necessary.

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HSGAC MAJORITY STAFF EXHIBIT

# Senators seek interviews with former Obama Administration officials regarding Burisma Holdings and Hunter Biden

Wednesday, December 18, 2019

**WASHINGTON** – Senate Homeland Security and Governmental Affairs Chairman Ron Johnson (R-Wis.), Senate Finance Committee Chairman Chuck Grassley (R-Iowa) and Senate Judiciary Committee Chairman Lindsey Graham (R-S.C.) are seeking records from and transcribed staff interviews with five former Obama administration officials:

Antony Blinken

*Former U.S. Deputy Secretary of State*

Amos Hochstein

*Former senior advisor on international energy affairs to Vice President Joe Biden*

Catherine Novelli

*Former Under Secretary of State for Economic Growth, Energy, and the Environment*

Victoria Nuland

*Former Assistant Secretary of State for European and Eurasian Affairs*

David Wade

*Former Chief of Staff to Secretary of State John Kerry*

These interview requests continue the chairmen's oversight efforts (see [here](#), [here](#), [here](#), and [here](#)) related to potential conflicts of interest and political influence by Ukrainian elements, including the natural gas firm Burisma, which employed Hunter Biden as a board member while his father was vice president and the public face of the Obama administration's handling of Ukraine. Additional records and interviews related to these matters may also be necessary. The chairmen have requested these individuals to respond by no later than December 23, 2019.

On December 6, 2019, Johnson, Grassley, and Graham requested records and transcribed interviews with Andrii Telizhenko and Alexandra Chalupa, two individuals reportedly involved in an effort by Ukrainian embassy officials to undermine the Trump campaign in the 2016 election (see [here](#)). Both individuals have since been in contact with the committees and discussions are ongoing regarding document productions and scheduling interviews.

###

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**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

---

**From:** Ciaramella, Eric <eric\_a\_ciaramella@nsc.eop.gov>  
**Sent:** Tuesday, January 12, 2016 9:06 AM  
**To:** Hartwell, Kyle; Hartwell, Kyle  
**Subject:** FW: Ukraine anti-corruption delegation  
**Attachments:** Copy of Copy of WAVES.xls

The meeting is at 11 on the 19<sup>th</sup> in 230A. I have one person registered via the link (which I will share with you in a sec), and the others are attached in the WAVES doc. Not sure if you want to go back to Svitlana to double check that names match passports and that birthdays are in the American style – it looks like the months for all of the birthdays were explicitly spelled out, so hopefully there is no confusion as per usual. Thanks for your help!

---

**From:** Pardus, Svitlana V [mailto:PardusSV@state.gov]  
**Sent:** Tuesday, January 12, 2016 8:51 AM  
**To:** Ciaramella, Eric  
**Cc:** Cole, Jeffrey W  
**Subject:** FW: Ukraine anti-corruption delegation

Dear Eric,

Please see the spreadsheet with the information on the participants attached.

Please let me know in case you need any additional information.

Thank you,

**Svitlana Pardus**  
Program Assistant  
Criminal Justice Reform  
and Anti-Corruption Program  
US Embassy in Kyiv, Ukraine

This email is UNCLASSIFIED.

---

**From:** Ciaramella, Eric [mailto:Eric\_A\_Ciaramella@nsc.eop.gov]  
**Sent:** Tuesday, January 12, 2016 2:49 AM  
**To:** Cole, Jeffrey W; Zentos, Elisabeth (nsc.eop)  
**Cc:** Hartwell, Kyle  
**Subject:** RE: Ukraine anti-corruption delegation

Hi Jeff,

You could either use the link below or the attached spreadsheet to fill out the relevant info for all US and Ukrainian participants in the meeting. Catherine already submitted her info to me separately. Kyle (CCed) will be able to help with any logistical questions.

<http://redirect.state.sbu/?url=https://events.whitehouse.gov/form?rid=XH2B924VXG>

Best,  
Eric

---

**From:** Cole, Jeffrey W [<http://redirect.state.sbu/?url=mailto:ColeJW2@state.gov>]  
**Sent:** Monday, January 11, 2016 4:45 AM  
**To:** Ciaramella, Eric; Zentos, Elisabeth  
**Subject:** RE: Ukraine anti-corruption delegation

Eric/Liz

Thanks again for agreeing to this meeting. I am not sure what WAVES information is but if you let me know I will get it to you or someone you designate right away.

Thanks

Jeff

---

**From:** Ciaramella, Eric [[http://redirect.state.sbu/?url=mailto:Eric\\_A\\_Ciaramella@nsc.eop.gov](http://redirect.state.sbu/?url=mailto:Eric_A_Ciaramella@nsc.eop.gov)]  
**Sent:** Thursday, January 07, 2016 2:45 AM  
**To:** Cole, Jeffrey W; Zentos, Elisabeth (nsc.eop)  
**Cc:** Newcombe, Catherine  
**Subject:** RE: Ukraine anti-corruption delegation

Jeff/Catherine,

11 a.m. on the 19<sup>th</sup> works for us, so let's plan on that. We'll just need WAVES information for all the meeting participants to get them into the building. Here is a link to enter the info:

<http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=https://events.whitehouse.gov/form?rid=XH2B924VXG>

Will let you know as we approach the date who exactly from NSC will attend, but at a minimum, Liz and I will be there. Looking forward to it!

Best,  
Eric

Eric Ciaramella  
Director for Baltic and Eastern European Affairs  
National Security Council | The White House  
(202) 456-9106

---

**From:** Cole, Jeffrey W  
[<http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:ColeJW2@state.gov>]  
**Sent:** Wednesday, January 06, 2016 7:23 PM  
**To:** Zentos, Elisabeth; Pyatt, Geoffrey R; Ciaramella, Eric; Makanju, Anna





001699

To: Pyatt, Geoffrey R; Brink, Bridget A; Makanju, Anna; [tmelia@usaid.gov](mailto:tmelia@usaid.gov); Katz, Jonathan

Cc: Smith, Christopher W; Urban, Carol J; Makanju, Anna; Brink, Bridget A; Kasanof, Alexander; Purcell, Alan S; Heffern, John A; Michael R. Carpenter; Zentos, Elisabeth; Ciaramella, Eric;

HSGAC MAJORITY STAFF EXHIBIT















State	
DC	<p><b>Waves Request System (WRS) Excel Template</b></p>
DC	Version: <b>1.8.9</b>
DC	Last Updated: 19 March 2011
VA	
DC	<p><b>WRS Instructions:</b></p>
DC	<p>1. The WRS Excel template must be saved as an <b>'Excel 97-2003 Workbook'</b></p>
	<p>2. The WRS Excel template file must end with <b>.xls</b> (not .xlsx)</p>
	<p>3. <b>The header row must remain in place and unchanged</b></p>
	<p>4. The <b>Visitors worksheet name must remain unchanged</b> (do not rename the worksheet)</p>
	<p>5. The maximum number of visitors per appointment is <b>250</b></p>
	<p>6. Do not use any periods, apostrophes or other special characters</p>
	<p><b>Tips:</b></p>
	<p><b>Pasting data from other spreadsheets may cause errors.</b> Be sure to check that your data has been pasted into the correct columns and that numbers are not missing (example: pasting an SSN starting with a zero may result in the zero being dropped which would result in an error). Use the Format Cells feature to fix any problem data cells prior to loading the file into WRS (example: set the SSN column to 'TEXT' to ensure you keep any leading zeros in the SSN)</p>
	<p><b>Data Fields</b></p>
	<p>1. <b>Last_Name:</b> Use letters only (no numbers or special characters). Max characters is 20</p>
	<p>2. <b>First_Name:</b> User letters only (no numbers or special characters). Max characters is 20</p>













HSGAC MAJORITY STAFF EXHIBIT



January 19, 2016 (names appear as listed in public White House visitor log)

	<b>First Name</b>	<b>Date of Meeting</b>	<b>Last Name</b>	<b>First</b>	<b>Meeting</b>	<b>Room</b>
COLE	JEFFREY	1/19/2016 11:00	Ciaramella	Eric	OEOB	230A
IEMELIANOVA	ANNA	1/19/2016 11:00	Ciaramella	Eric	OEOB	230A
KHOLODNYTSKI	NAZAR	1/19/2016 11:00	Zentos	Liz	OEOB	230A
NEWCOMBE	CATHERINE	1/19/2016 11:00	Ciaramella	Eric	OEOB	230A
PARDUS	SVITLANA	1/19/2016 11:00	Ciaramella	Eric	OEOB	230A
SAKVARELIDZE	DAVID	1/19/2016 11:00	Ciaramella	Eric	OEOB	230A
SYTNYK	ARTEM	1/19/2016 11:00	Ciaramella	Eric	OEOB	230A
telizhenko	andriy	1/19/2016 11:00	Ciaramella	Eric	OEOB	230A

\*\*Mr. Kholodnytski's name appears twice on the visitor log for this meeting.

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Ciaramella, Eric <eric\_a\_ciaramella@nsc.eop.gov>  
**Sent:** Monday, January 18, 2016 3:24 PM  
**To:** gusackje@state.gov  
**Cc:** Zentos, Elisabeth; kasanofa@state.gov; montgomerymc@state.gov; Zentos, Elisabeth  
**Subject:** Re: Upcoming meeting with Ukraine anticorruption delegation

Thanks, Jamie! Will definitely provide a readout after the mtg to help inform Bridget's mtg later in the week.

---

**From:** Gusack, Jamie E [mailto:GusackJE@state.gov]  
**Sent:** Monday, January 18, 2016 03:14 PM  
**To:** Ciaramella, Eric  
**Cc:** Zentos, Elisabeth; Kasanof, Alexander <KasanofA@state.gov>; Montgomery, Molly C <MontgomeryMC@state.gov>  
**Subject:** RE: Upcoming meeting with Ukraine anticorruption delegation

Eric,

Sorry for the delay. I don't have a full BCL to share (just starting on it now) but can give you an outline of topics I plan to include (see below). Adding Sahsa and Molly here in case they have anything to add to my suggested agenda. Let me know if I'm missing anything from your perspective.

If you could give us a brief readout after your meeting tomorrow/let us know if you'd like us to follow up on anything specific on Thursday, that would be great. We're happy to reinforce any points that need to be driven home.

Best,  
Jamie

- Note the importance of appointing a new PG, reiterating that Shokin is an obstacle to reform.
- Discuss the "diamond prosecutors" case, check on progress of the case, underscore the importance of putting corrupt high-level officials in jail.
- Ask the del what high-level cases are on the docket for prosecution. Note that we're expecting big steps in the near future.
- Be prepared for a long list of asks. (Looking for updated numbers from ACE and INL on much money is already set aside and for what.)
- An "if time permits" point for Sakvarelidze regarding reining in Saakashvili.
- Ask about implementation of new legislation. How is the new IG in the PGO shaping up? Where does the NABU stand, etc.

SBU  
This email is UNCLASSIFIED.

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**From:** Gusack, Jamie E  
**Sent:** Sunday, January 17, 2016 11:08 PM  
**To:** Ciaramella, Eric A (nsc.eop.gov)  
**Cc:** Zentos, Elisabeth (nsc.eop)  
**Subject:** Re: Upcoming meeting with Ukraine anticorruption delegation

I'll be in the office writing this BCL tomorrow. Will send a draft/bootleg version when I have something to share.

---

**From:** Ciaramella, Eric  
**Sent:** Sunday, January 17, 2016 1:44 PM  
**To:** Gusack, Jamie E  
**Cc:** Zentos, Elisabeth (nsc.eop)  
**Subject:** RE: Upcoming meeting with Ukraine anticorruption delegation

Thanks, Jamie!

---

**From:** Gusack, Jamie E [<http://redirect.state.sbu/?url=mailto:GusackJE@state.gov>]  
**Sent:** Friday, January 15, 2016 3:32 PM  
**To:** Ciaramella, Eric  
**Cc:** Zentos, Elisabeth  
**Subject:** RE: Upcoming meeting with Ukraine anticorruption delegation

Eric,

I'd be happy to share Bridget's BCL, but haven't written it yet (since the meeting isn't until Thursday). I was planning to draft it today, but that prospect is becoming less and less likely with all the work that is piling up. I may just come in on Monday to work on it.

I'll try work up an outline/send it your way later today if time permits.

Thanks,  
Jamie

This email is UNCLASSIFIED.

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**From:** Ciaramella, Eric [[http://redirect.state.sbu/?url=mailto:Eric\\_A\\_Ciaramella@nsc.eop.gov](http://redirect.state.sbu/?url=mailto:Eric_A_Ciaramella@nsc.eop.gov)]  
**Sent:** Friday, January 15, 2016 3:16 PM  
**To:** Gusack, Jamie E  
**Cc:** Zentos, Elisabeth (nsc.eop)  
**Subject:** RE: Upcoming meeting with Ukraine anticorruption delegation

Jamie – Thanks, this is extremely helpful! I was wondering whether you happen to have a draft of the BCL for Bridget's meeting, and whether you might be willing to share it informally with us before Tuesday. We have some ideas for what we'd like to raise with the group, but it's always good to check in on top lines and make sure we're all saying the same thing.

Thank you!!  
Eric

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**From:** Gusack, Jamie E  
[<http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:GusackJE@state.gov>]  
**Sent:** Thursday, January 14, 2016 8:01 PM  
**To:** Ciaramella, Eric; EUR-Ukraine Desk-DL  
**Cc:** Zentos, Elisabeth  
**Subject:** RE: Upcoming meeting with Ukraine anticorruption delegation

Eric,

Thanks very much for the invitation. DAS Brink will meet with the delegation on Thursday. Attached are the final agenda for the visit and the bios of the participants so you have full visibility.

On the question of background info on how the various anticorruption agencies/authorities fit together, I don't have anything at the ready, but will check with EUR/ACE tomorrow. I agree that this would be extremely helpful and we'll look to put something together if it doesn't already exist.

Thanks again and let me know if you have any further questions or if you'd like us to follow up on any outstanding issues that may come up in your meeting on Tuesday.

Best,  
Jamie

SBU  
This email is UNCLASSIFIED.

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**From:** Ciaramella, Eric  
[[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:Eric\\_A\\_Ciaramella@nsc.eop.gov](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:Eric_A_Ciaramella@nsc.eop.gov)]  
**Sent:** Thursday, January 14, 2016 7:35 PM  
**To:** EUR-Ukraine Desk-DL  
**Cc:** Zentos, Elisabeth (nsc.eop)  
**Subject:** Upcoming meeting with Ukraine anticorruption delegation

Desk colleagues –

We'll be hosting Deputy PG Sakvarelidze, NABU chief Sytnyk, and AC prosecutor Kholodnytsky here on Tuesday 1/19 at 11:00. Are you having meetings with them at State? If not, would anyone from the desk like to attend our meeting?

In addition, I was wondering whether you have any off-the-shelf background info on how the various anticorruption agencies/authorities fit together (no need to create this if it doesn't exist), and whether there are any particular points that you or Post would like us to raise with the group.

Thank you!  
Eric

Eric Ciaramella  
Director for Baltic and Eastern European Affairs  
National Security Council | The White House

HSGAC MAJORITY STAFF EXHIBIT

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Zentos, Elisabeth <elisabeth\_f\_zentos@nsc.eop.gov>  
**Sent:** Thursday, January 21, 2016 10:46 AM  
**To:** Montgomery, Molly C; Ellsworth, Michael P  
**Subject:** FW: DT: US loan guarantee conditional on Shokin's dismissal

---

**From:** Zentos, Elisabeth  
**Sent:** Thursday, January 21, 2016 10:44 AM  
**To:** 'Pyatt, Geoffrey R' <PyattGR@state.gov>; Ciaramella, Eric <Eric\_A\_Ciaramella@nsc.eop.gov>; Makanju, Anna <Anna\_A\_Makanju@ovp.eop.gov>  
**Subject:** RE: DT: US loan guarantee conditional on Shokin's dismissal

Yes, just talked to the Desk about this.

Recommended that you or Post email Rory informing him of this view. Will be much more influential coming from you (or at least from someone at Post).

---

**From:** Pyatt, Geoffrey R [<mailto:PyattGR@state.gov>]  
**Sent:** Thursday, January 21, 2016 10:31 AM  
**To:** Ciaramella, Eric <[Eric\\_A\\_Ciaramella@nsc.eop.gov](mailto:Eric_A_Ciaramella@nsc.eop.gov)>; Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>; Makanju, Anna <[Anna\\_A\\_Makanju@ovp.eop.gov](mailto:Anna_A_Makanju@ovp.eop.gov)>  
**Subject:** RE: DT: US loan guarantee conditional on Shokin's dismissal

We also need to readdress all the LG anti-corruption conditions, since some of what we had been asking for is now OBE, and at this stage there's only one that really matters.

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**From:** Ciaramella, Eric [[mailto:Eric\\_A\\_Ciaramella@nsc.eop.gov](mailto:Eric_A_Ciaramella@nsc.eop.gov)]  
**Sent:** Thursday, January 21, 2016 5:23 PM  
**To:** Pyatt, Geoffrey R; Zentos, Elisabeth (nsc.eop); Makanju, Anna  
**Subject:** RE: DT: US loan guarantee conditional on Shokin's dismissal

Yikes. I don't recall this coming up in our meeting with them on Tuesday, although we did discuss the fact that the PGO IG condition has not yet been met. (I've been meaning to write to you about our meeting—we were super impressed with the group, and we had a two-hour discussion of their priorities and the obstacles they face.)

In yesterday's IPC we agreed to come up with some interagency press guidance/TPs for UA officials on the Shokin/LG issue. So, we will circle back with EUR and our/their press folks to expedite that effort.

---

**From:** Pyatt, Geoffrey R [<http://redirect.state.sbu/?url=mailto:PyattGR@state.gov>]  
**Sent:** Thursday, January 21, 2016 10:03 AM

**To:** Zentos, Elisabeth; Ciaramella, Eric; Makanju, Anna

**Subject:** FW: DT: US loan guarantee conditional on Shokin's dismissal

Buckle in

---

**From:** Pasichnyk, Volodymyr O <[PasichnykVO@state.gov](mailto:PasichnykVO@state.gov)>  
**Sent:** Thursday, January 21, 2016 16:11  
**To:** Kyiv, POL ALL  
**Subject:** DT: US loan guarantee conditional on Shokin's dismissal

According to Dzerkalo Tyzhnya news website, “the U.S. State Department has made it clear to the Ukrainian authorities that it links the provision of a one billion dollar loan guarantee to Ukraine to the dismissal of Prosecutor General Viktor Shokin. This became known during the visit by Deputy PGs Vitaliy Kasko, David Sakvarelidze, and Anti-Corruption Prosecutor Nazar Kholodnytsky to the U.S. The Ukrainian officials are holding a number of professional and political meetings during their working visit to the U.S.”

<http://redirect.state.sbu/?url=http://zn.ua/POLITICS/ssha-privyazali-predostavlenie-ukraine-kreditnyh-garantiy-k-otstavke-shokina-201985.html>

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**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Zentos, Elisabeth <elisabeth\_f\_zentos@nsc.eop.gov>  
**Sent:** Tuesday, January 19, 2016 9:42 PM  
**To:** Ciaramella, Eric; Ciaramella, Eric  
**Subject:** FW: Embassy of Ukraine Telizhenko

FYI—just took the time to actually read this. Woops.

**From:** Andrii Telizhenko [mailto:telizhenko.andriy@gmail.com]  
**Sent:** Tuesday, January 19, 2016 12:22 AM  
**To:** Zentos, Elisabeth <Elisabeth\_F\_Zentos@nsc.eop.gov>  
**Subject:** Embassy of Ukraine Telizhenko

Dear Liz,

Hi this is Andrii Telizhenko, how are you? Tried contacting you through facebook. I am working at the Embassy of Ukraine in US now )

Tomorrow you have a planned meeting with Mr. Sytnyk, Mr. Kholodnickiy and Mr. Sakvarelidze at 11:00am, we spoke to Mr. Sytnyk and Mr. Kholodnockiy that they would like to have somebody from the Embassy be with them at the meeting.

Would it be possible to ad me in? I appologize for the late notice, just got informed.

With Regards,

Andrii Telizhenko

--

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Андрій Теліженко | Andrii Telizhenko  
| +380504467876 | [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Andrii Telizhenko <telizhenko.andriy@gmail.com>  
**Sent:** Monday, February 01, 2016 3:37 PM  
**To:** Zentos, Elisabeth; Zentos, Elisabeth  
**Subject:** Re: Andrii Telizhenko

Liz,

Thats great) Maybe at 12:30pm? - where would you recommend?

Andrii

--

Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
III Secretary of the Embassy of Ukraine to the USA  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

2016-02-01 15:34 GMT-05:00 Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>:

Hi Andriy,

Meeting this week would be great!

Any chance you're free for coffee on Friday at either 10:30 a.m. or 2 p.m.?

Looking forward to catching up soon.

Best,

Liz

Liz Zentos

000006

Director for Eastern Europe

National Security Council

[202-456-9158](tel:202-456-9158)

[Elisabeth F Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)

**From:** Andrii Telizhenko [mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)]

**Sent:** Monday, February 01, 2016 3:30 PM

**To:** Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>

**Subject:** Andrii Telizhenko

Liz,

Hi how are you? wanted to ask if you are able to meet for coffee or lunch maybe this week or the next?

Andrii

--

Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США

III Secretary of the Embassy of Ukraine to the USA

| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

**BEGINNING OF  
NEW RECORD**

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**From:** Andrii Telizhenko <telizhenko.andriy@gmail.com>  
**Sent:** Tuesday, March 01, 2016 4:31 PM  
**To:** Zentos, Elisabeth; Zentos, Elisabeth  
**Subject:** Re: Andrii Telizhenko

That would good)

On Tuesday, March 1, 2016, Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:

Perfect! I'll see if my colleague Eric is up for joining.

**From:** Andrii Telizhenko [mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)]  
**Sent:** Tuesday, March 01, 2016 4:27 PM  
**To:** Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>  
**Subject:** Re: Andrii Telizhenko

That is great if it fits you, I could give you a lift back) see you Thursday)

On Tuesday, March 1, 2016, Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:

Yes, let's do it!

Want to plan on 5 p.m. at "The Exchange" – a little drive bar on H between 17<sup>th</sup> and 18<sup>th</sup>? I'll probably have to come back here afterward, hence why my suggestion is close to the White House...

**From:** Andrii Telizhenko [mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)]  
**Sent:** Tuesday, March 01, 2016 4:20 PM  
**To:** Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>  
**Subject:** Re: Andrii Telizhenko

I know that you are very busy ) We can do Thursday?

On Tuesday, March 1, 2016, Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:

| Andriy!

Shoot, so sorry for not getting back to you sooner.

Any chance we could do Thursday or Friday – maybe around 5 p.m.?

**From:** Andrii Telizhenko [<mailto:telizhenko.andriy@gmail.com>]  
**Sent:** Tuesday, March 01, 2016 4:03 PM  
**To:** Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>  
**Subject:** Andrii Telizhenko

Liz,

Hi, how are you enjoying the warm weather? wanted to ask if you would be able to meet this week?

Andrii

--  
Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
  
III Secretary of the Embassy of Ukraine to the USA  
  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

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| +380504467876 | [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

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Андрій Теліженко | Andrii Telizhenko  
| +380504467876 | [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

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Андрій Теліженко | Andrii Telizhenko  
| +380504467876 | [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

HSGAC MAJORITY STAFF EXHIBIT

**BEGINNING OF  
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**From:** Zentos, Elisabeth <elisabeth\_f\_zentos@nsc.eop.gov>  
**Sent:** Friday, March 04, 2016 6:47 PM  
**To:** Andrii Telizhenko  
**Subject:** RE: Andrii Telizhenko meeting

Hi Andrii,

Thank you so much – was great seeing you! And, thank you so much for the coffee.

I actually just received an email from Slava requesting a meeting for Vadym with Charlie, which is perfect. I'll write back to Slava and let him know that it looks like Charlie will be able to do at least a short meeting (and I'll sit in as well).

Thanks again, and have Happy March 8 a few days early!

Liz

**From:** Andrii Telizhenko [mailto:telizhenko.andriy@gmail.com]  
**Sent:** Friday, March 04, 2016 5:26 PM  
**To:** Zentos, Elisabeth <Elisabeth\_F\_Zentos@nsc.eop.gov>  
**Subject:** Andrii Telizhenko meeting

Liz,

Thank you for the meeting today, great coffee place. About the meeting with Mr. Prystayko, I know that Mr. Brysuik asked for a possible meeting with Mr. Kupchan Charles. However if you would like a meeting with Mr. Prystayko, please let me know.

Thank you

Andrii Telizhenko

On Friday, March 4, 2016, Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:

Yes!

Would you be up for doing coffee instead of beer though? I'm realizing that if I drink beer at 3 p.m., I will probably fall asleep while attempting to work afterward...

Want to meet at Swing's coffee house on G and 17<sup>th</sup>? They have the best coffee around.

See you soon!

Liz

**From:** Andrii Telizhenko [mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)]  
**Sent:** Friday, March 04, 2016 12:54 PM  
**To:** Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>  
**Subject:** Andrii Telizhenko meeting

Wanted to confirm the meeting for today.

Andrii

--  
Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
  
III Secretary of the Embassy of Ukraine to the USA  
  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

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Андрій Теліженко | Andrii Telizhenko  
| +380504467876 | [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Andrii Telizhenko <telizhenko.andriy@gmail.com>  
**Sent:** Thursday, March 10, 2016 4:55 PM  
**To:** Zentos, Elisabeth; Zentos, Elisabeth  
**Subject:** Re: Andrii Telizhenko

I am between cosi and swing, thought to come earlier juat incase)

On Thursday, March 10, 2016, Andrii Telizhenko <[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)> wrote:  
Yes, see you there.

On Thursday, March 10, 2016, Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:

Want to just grab a coffee at Cosi on 17<sup>th</sup> and Pennsylvania?

**From:** Andrii Telizhenko [mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)]  
**Sent:** Thursday, March 10, 2016 2:08 PM  
**To:** Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>  
**Subject:** Re: Andrii Telizhenko

Around 5pm is great, thank you. Where is more convenient for you?

Once again thank you.

Andrii

On Thursday, March 10, 2016, Zentos, Elisabeth <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:

Hi Andrii,

Sorry for the delay.

Sure, happy to meet today. But it would need to be late afternoon – would sometime around 5 p.m. work for you? Otherwise, I could meet tomorrow morning.

Hope all is well!

Liz

**From:** Andrii Telizhenko [mailto:telizhenko.andriy@gmail.com]  
**Sent:** Thursday, March 10, 2016 11:30 AM  
**To:** Zentos, Elisabeth <Elisabeth\_F\_Zentos@nsc.eop.gov>  
**Subject:** Andrii Telizhenko

Hi Liz,

How are you? Sorry for the late question, wanted to ask if you have 5min today to meet?

Andrii

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Андрій Теліженко | Andrii Telizhenko  
| +380504467876 | telizhenko.andriy@gmail.com |

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Андрій Теліженко | Andrii Telizhenko  
| +380504467876 | telizhenko.andriy@gmail.com |

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| +380504467876 | [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

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Андрій Теліженко | Andrii Telizhenko  
| +380504467876 | [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

HSGAC MAJORITY STAFF EXHIBIT

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Zentos, Elisabeth <elisabeth\_f\_zentos@nsc.eop.gov>  
**Sent:** Wednesday, April 13, 2016 3:12 PM  
**To:** telizhenko.andriy@gmail.com  
**Subject:** Re: Andrii Telizhenko

No worries! Just got here. See you soon,

---

**From:** Andrii Telizhenko [mailto:telizhenko.andriy@gmail.com]  
**Sent:** Wednesday, April 13, 2016 03:09 PM  
**To:** Zentos, Elisabeth  
**Subject:** Re: Andrii Telizhenko

Here but looking for parking

On Wednesday, April 13, 2016, Zentos, Elisabeth <[Elisabeth F Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:

Yes, all set! Will unfortunately only have about 30 minutes, but would love to grab a quick coffee if that still works for you.

**From:** Andrii Telizhenko [mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)]  
**Sent:** Wednesday, April 13, 2016 11:53 AM  
**To:** Zentos, Elisabeth <[Elisabeth F Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>  
**Subject:** Andrii Telizhenko

Liz,

Hi how are you? Wanted to check if all is good for 3pm meeting today?

Andrii

--  
Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США

III Secretary of the Embassy of Ukraine to the USA

| | [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

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Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
III Secretary of the Embassy of Ukraine to the USA  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

HSGAC MAJORITY STAFF EXHIBIT

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Andrii Telizhenko <telizhenko.andriy@gmail.com>  
**Sent:** Thursday, April 28, 2016 7:30 AM  
**To:** Zentos, Elisabeth; Zentos, Elisabeth  
**Subject:** Re: Andrii Telizhenko

Me too :) have a nice day :)

On Wednesday, April 27, 2016, Zentos, Elisabeth F. EOP/NSC <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:  
Yes, that would be great. So, Friday, 2 p.m. at Cosi. Looking forward to it!

-----Original Message-----

From: Andrii Telizhenko [mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)]  
Sent: Wednesday, April 27, 2016 2:19 PM  
To: Zentos, Elisabeth F. EOP/NSC <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>  
Subject: Re: Andrii Telizhenko

No problem, I thought that my email was not working, sorry for the second email.

2 pm would work. - at cosi?

On Wednesday, April 27, 2016, Zentos, Elisabeth F. EOP/NSC <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> <mailto:[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> > wrote:

Andrii! So sorry I haven't gotten back to you sooner.

Want to do coffee on Friday? Maybe around 2 or 3 p.m.?

-----Original Message-----

From: Andrii Telizhenko [mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) <javascript:;> ]  
Sent: Tuesday, April 26, 2016 1:29 PM  
To: Zentos, Elisabeth F. EOP/NSC <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov) <javascript:;> >  
Subject: Fwd: Andrii Telizhenko

Liz,

sorry to bother you, I had some issues with my email, some of my friends have not received my emails.  
Just re sending my email from yesterday if possible to meet this week.

Andrii

--

Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
III Secretary of the Embassy of Ukraine to the USA  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) <javascript:;> <mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) <javascript:;> > |

----- Forwarded message -----

From: Andrii Telizhenko <[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)>  
<javascript:;> <mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)> <javascript:;> > >  
Date: 2016-04-25 9:28 GMT-04:00  
Subject: Andrii Telizhenko  
To: "Zentos, Elisabeth" <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>  
<javascript:;> <mailto:[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> <javascript:;> > >

Hi Liz,

Hope all is well, I just came back from Kyiv. Wanted to ask if you have time to meet this week?

Andrii

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Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
III Secretary of the Embassy of Ukraine to the USA  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) <javascript:;> <mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)> <javascript:;> > |

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Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
III Secretary of the Embassy of Ukraine to the USA  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) <mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)> |

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Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
III Secretary of the Embassy of Ukraine to the USA  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

**BEGINNING OF  
NEW RECORD**

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**From:** Andrii Telizhenko <telizhenko.andriy@gmail.com>  
**Sent:** Wednesday, May 04, 2016 7:27 AM  
**To:** Zentos, Elisabeth; Zentos, Elisabeth  
**Subject:** Re: Andrii Telizhenko

4pm is perfect) ar Cosi?

On Tuesday, May 3, 2016, Zentos, Elisabeth F. EOP/NSC <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:

Hi Andrii,

Yes, I'm feeling much better – thank you!

Tomorrow is great. I forget—did we set a time? Could we meet in the afternoon – maybe around 4 p.m.?

See you soon!

Liz

**From:** Andrii Telizhenko [mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)]  
**Sent:** Monday, May 2, 2016 11:21 PM  
**To:** Zentos, Elisabeth F. EOP/NSC <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>  
**Subject:** Andrii Telizhenko

Liz,

Hi how are you? How are you feeling? Wanted to ask if all is good for Wednesday after tomorrow?

Andrii

On Friday, April 29, 2016, Zentos, Elisabeth F. EOP/NSC <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:

Yes, let's plan for Wednesday! Just let me know what time is good for you.

-----Original Message-----

From: Andrii Telizhenko [mailto:telizhenko.andriy@gmail.com]  
Sent: Friday, April 29, 2016 12:50 PM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov>  
Subject: Favor -- postpone to early next week?

Oh no, I hope you will be feeling better. Its vacation days at the Embassy next Monday and Tuesday, I will be in out of town. If possible maybe to meet starting Wednesday of next week?

Get well soon

Andrii

On Friday, April 29, 2016, Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov <javascript:\_e(%7B%7D,'cvml','Elisabeth\_F\_Zentos@nsc.eop.gov');> > wrote:

Andrii,

I'm not feeling great and am probably going to head home shortly.

Any chance we could move our coffee to early next week? Maybe Monday or Tuesday?

Really sorry. Hope you are doing well!

Liz

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Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
III Secretary of the Embassy of Ukraine to the USA  
| telizhenko.andriy@gmail.com <mailto:telizhenko.andriy@gmail.com> |

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Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США

III Secretary of the Embassy of Ukraine to the USA

| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

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Андрій Теліженко | Andrii Telizhenko  
III Секретар Посольства України в США  
III Secretary of the Embassy of Ukraine to the USA  
| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Andrii Telizhenko <telizhenko.andriy@gmail.com>  
**Sent:** Saturday, July 09, 2016 5:32 AM  
**To:** Zentos, Elisabeth; Zentos, Elisabeth  
**Subject:** Re: Happy 4th of July!

Hi, i am downstairs in the lobby

On Friday, July 8, 2016, Zentos, Elisabeth F. EOP/NSC <[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)> wrote:  
Ooh, that would be wonderful--thanks so much! Although I hope you don't mind if I drink but don't eat much. I have to eat Mexican food (Ukrainian style) at 2 pm. Should be interesting. ;)

See you tomorrow at 12:30 pm!

Sent from my iPhone

On Jul 8, 2016, at 6:52 PM, Andrii Telizhenko  
<[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)<mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)>> wrote:

12:30 works out fine) I can come to the Hyatt and I will pick you up and we can drive to Podil and have lunch there- it will be closer for you? See you soon)

On Friday, July 8, 2016, Zentos, Elisabeth F. EOP/NSC  
<[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)<mailto:[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>> wrote:

Let's do 12:30 pm if that still works for you. Where should we meet? I'm staying at the Hyatt, but can go anywhere. I just need to be in Podil at 2 pm, so depending on where we meet, I'll have a little over an hour to chat.

See you soon!!!

Sent from my iPhone

On Jul 8, 2016, at 12:37 PM, Andrii Telizhenko  
<[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)<javascript:;><mailto:[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)<javascript:;>>> wrote:

Hi Liz,

Yes, It would be great to meet, tomorrow what ever works best for you 12:30pm or 6pm- I am ready)

Andrii

On Friday, July 8, 2016, Zentos, Elisabeth F. EOP/NSC  
<[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)<javascript:;><mailto:[Elisabeth\\_F\\_Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)<javascript:;>>>  
wrote:  
Andrii!

Should we try to meet for a drink/coffee tomorrow? Will you be around? Would sometime around 6 pm work? Or around 12:30 pm?

Hope to see you soon!

Sent from my iPhone

On Jul 4, 2016, at 9:35 AM, Andrii Telizhenko

<[telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)<javascript:;><javascript:;><mailto:telizhenko.andriy@gmail.com<javascript:;><javascript:;>>> wrote:

Happy 4th of July! Happy 240th Independence Day USA!

Enjoy the great day, BBQ and the fireworks!

With Regards,

Andrii Telizhenko

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?????? ?????????? | Andrii Telizhenko

| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)<javascript:;><javascript:;><mailto:telizhenko.andriy@gmail.com<javascript:;><javascript:;>> |

<IMG\_0844.JPG>

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?????? ?????????? | Andrii Telizhenko

| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)<javascript:;><mailto:telizhenko.andriy@gmail.com<javascript:;>> |

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?????? ?????????? | Andrii Telizhenko

| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com)<mailto:telizhenko.andriy@gmail.com> |

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Андрій Теліженко | Andrii Telizhenko

| [telizhenko.andriy@gmail.com](mailto:telizhenko.andriy@gmail.com) |

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Zentos, Elisabeth <elisabeth\_f\_zentos@nsc.eop.gov>  
**Sent:** Saturday, October 17, 2015 10:05 AM  
**To:** oksana.shulyar@mfa.gov.ua  
**Subject:** Re: Rice-Klimkin readout draft

Oksana--Please do not yet publish this. I've found out that Susan often does not like readouts of her meetings to be published. I'm waiting for an answer for her. Hope to get back to you soon.

Thanks so much.

Best,  
Liz

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**From:** Oksana [mailto:oksana.shulyar@mfa.gov.ua]  
**Sent:** Friday, October 16, 2015 09:25 PM  
**To:** Zentos, Elisabeth  
**Subject:** Rice-Klimkin readout draft

Dear Liz,

It was very nice meeting you today during Minister's meeting at the White House.

As discussed please find below a readout draft for your attention. Let me know if you would have any comments to it. We would like to publish it tomorrow morning.

"Minister of Foreign Affairs of Ukraine Pavlo Klimkin met with National Security Advisor to the President of the United States Susan Rice.

Susan Rice congratulated Pavlo Klimkin on Ukraine's election as non-permanent member of the UN Security Council. The interlocutors discussed implementation of the Minsk agreements, withdrawal of weapons and troops and talked about a need of full access for the OSCE monitors, as elements for further steady progress in Donbas. They also exchanged views on preparation to local elections in certain areas of Donetsk and Luhansk regions, underlining that they must be held according to the Ukrainian legislation and to the OSCE/ODIHR standards.

Pavlo Klimkin and Susan Rice also discussed international security issues, where the Ukrainian Minister underlined the importance of further US support for Ukraine. He welcomed President Obama's decision to allocate \$21.5 million to Ukraine for providing defensive equipment, namely counter-battery radars. He also spoke about a positive experience of train and equip program for the Ukrainian National Guard and welcomed a recent decision to launch trainings for the Ukrainian army.

The interlocutors also discussed the Ukrainian reforms and dwelled on further steps in this process, namely with regards to the fight against corruption, judicial and healthcare reforms."

Thank you and look forward to your feedback.

With kind regards,

Oksana Shulyar  
Counselor,  
Embassy of Ukraine in the United States

000597

Tel: 202 349 2934

Cell: 202 412 2171

E-mail: [Oksana.shulyar@mfa.gov.ua](mailto:Oksana.shulyar@mfa.gov.ua)

HSGAC MAJORITY STAFF EXHIBIT

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Zentos, Elisabeth <elisabeth\_f\_zentos@nsc.eop.gov>  
**Sent:** Saturday, December 26, 2015 2:48 PM  
**To:** Ciaramella, Eric; Ciaramella, Eric  
**Subject:** FW: Oksana Shulyar contact

FYI

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**From:** Oksana Shulyar [mailto:oksana.shulyar@mfa.gov.ua]  
**Sent:** Tuesday, December 22, 2015 4:18 PM  
**To:** Zentos, Elisabeth <Elisabeth\_F\_Zentos@nsc.eop.gov>  
**Subject:** Oksana Shulyar contact

Hi Liz,

Let follow up on tomorrow and Friday option for the call.

Here are my contacts.

Telephone: +1 202 349 2934  
Cell: +1 202 412 2171

Best,  
Oksana  
Counselor,  
Embassy of Ukraine in the United States  
3350 M Street, NW  
Washington DC 20007

E-mail: [Oksana.shulyar@mfa.gov.ua](mailto:Oksana.shulyar@mfa.gov.ua)

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Kasanof, Alexander <kasanofa@state.gov>  
**Sent:** Thursday, March 31, 2016 5:03 PM  
**To:** Zentos, Elisabeth; Zentos, Elisabeth  
**Subject:** RE: Statement

Agree.

This email is UNCLASSIFIED.

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**From:** Zentos, Elisabeth [mailto:Elisabeth\_F\_Zentos@nsc.eop.gov]  
**Sent:** Thursday, March 31, 2016 4:32 PM  
**To:** Kasanof, Alexander  
**Subject:** FW: Statement

Ugh.

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**From:** Yaroslav Brisiuck [http://redirect.state.sbu/?url=mailto:brisiuck@gmail.com]  
**Sent:** Thursday, March 31, 2016 3:49 PM  
**To:** Zentos, Elisabeth <[Elisabeth F Zentos@nsc.eop.gov](mailto:Elisabeth_F_Zentos@nsc.eop.gov)>  
**Subject:** Fwd: Statement

Sent from my iPhone

Begin forwarded message:

**From:** Yaroslav Brisiuck <[brisiuck@gmail.com](mailto:brisiuck@gmail.com)>  
**Date:** March 31, 2016 at 3:16:01 PM EDT  
**To:** "Makanju, Anna A. EOP/OVP" <[Anna\\_A\\_Makanju@ovp.eop.gov](mailto:Anna_A_Makanju@ovp.eop.gov)>, Oksana Shulyar <[oshulyar@gmail.com](mailto:oshulyar@gmail.com)>  
**Cc:** "[k.yelisieiev@gmail.com](mailto:k.yelisieiev@gmail.com)" <[k.yelisieiev@gmail.com](mailto:k.yelisieiev@gmail.com)>  
**Subject:** Re: Statement

Anna, thank you very much. Very good statement overall. A few changes we would suggest:

- could we not specify that the meeting was in a lunch format (not to distract from the substance of the discussion);
- could we remove the specific mentioning of the prosecutorial reform, wording it like this: "... committed to a reform program, including anti-corruption reforms";
- after the words "335 million in security assistance," can we end the sentence there, without spelling out the types of assistance, or, at the least, use Mike's words - to "train, equip and advise";
- instead of "welcomed the news" could we say that VP welcomed the efforts of President Poroshenko to resolve the governmental (or parliamentary/governmental) crisis and form a new government;

- Re Minsk, could you add a sentence about Trans-Atlantic solidarity and sanctions remaining in place until Russia fully implements Minsk, including restoring our sovereignty, including Crimea;

- Re Savchenko, would be good to add that we called on Russia to ensure immediate and unimpeded access for doctors due to concerns about her health condition and called for her immediate release.

Thank you,  
Slava

2016-03-31 15:04 GMT-04:00 Makanju, Anna A. EOP/OVP

<[Anna\\_A\\_Makanju@ovp.eop.gov](mailto:Anna_A_Makanju@ovp.eop.gov)>:

Gentlemen, I'm sorry please hold on this. I have to send one change.

Original Message

From: Makanju, Anna A. EOP/OVP

Sent: Thursday, March 31, 2016 2:39 PM

To: Yaroslav Brisiuck; [k.yelisieiev@gmail.com](mailto:k.yelisieiev@gmail.com)

Subject: Statement

Slava, Kostiantyn, is this ok with you? Thanks, Anna

Vice President Biden hosted a working lunch today with Ukrainian President Petro Poroshenko. President Poroshenko updated the Vice President on coalition negotiations to form a new Ukrainian government that is committed to a reform program - including prosecutorial and other anti-corruption reforms - that is in line with Ukraine's IMF commitments, and full implementation of Minsk. The VP welcomed the news and reaffirmed that the United States is prepared to move forward on a third \$1 billion loan guarantee and other assistance once these steps are taken. The Vice President also informed President Poroshenko that the United States can now move forward with an additional \$335 million in security assistance, which will fund additional advisors, training, and non-lethal assistance aimed at reforming Ukraine's security institutions in line with Western standards. The leaders condemned the illegal imprisonment of pilot Nadia Savchenko, as well as the recent violence in eastern Ukraine. The Vice President reaffirmed U.S. commitment to Ukraine's sovereignty and territorial integrity, emphasizing that the U.S. continues to reject the unlawful occupation and attempted annexation of Crimea.

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Ciaramella, Eric A. EOP/NSC <eric\_a\_ciaramella@nsc.eop.gov>  
**Sent:** Friday, June 17, 2016 11:15 AM  
**To:** Zentos, Elisabeth; Zentos, Elisabeth  
**Subject:** RE: (San-Fransisco June 22-23) Borys Lozhkin's visit

Nope - does the desk?

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC  
Sent: Friday, June 17, 2016 11:11 AM  
To: Ciaramella, Eric A. EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov>  
Subject: RE: (San-Fransisco June 22-23) Borys Lozhkin's visit

Do you know anything about this summit???

-----Original Message-----

From: Oksana Shulyar [mailto:oksana.shulyar@mfa.gov.ua]  
Sent: Thursday, June 16, 2016 5:44 PM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov>  
Cc: Ciaramella, Eric A. EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov>  
Subject: RE: (San-Fransisco June 22-23) Borys Lozhkin's visit

Dear Liz,

Thank you for all the support with the PM's visit.

I am waiting to get the final list of Borys's delegation for Monday's meeting. Will get back to you tomorrow on that if that's ok.

I also wanted to ask for a piece of advice on a possibility for Borys to attend the Global Entrepreneurship Summit in San-Francisco on June 22-23. We've been told that the White House and the Department of State are involved in its organization. Borys will be also travelling to the West Coast and since he is very much involved in his official capacity in economic reforms and entrepreneurship issues in Ukraine, it would be very beneficial for us if he'd got a chance to attend the Summit.

Would appreciate your help.

Best,  
Oksana

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC [mailto:Elisabeth\_F\_Zentos@nsc.eop.gov]  
Sent: Wednesday, June 15, 2016 6:23 PM  
To: Oksana Shulyar <oksana.shulyar@mfa.gov.ua>  
Cc: Ciaramella, Eric A. EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov>  
Subject: FW: Borys Lozhkin's visit and Hopko question

Hi Oksana,

It was great seeing you today!

I know you must be focused on the PM's visit, but Denis McDonough's office is hoping to find out whether Mr. Lozhkin plans to bring anyone with him to the meeting on Monday. Do you know? If would like to bring someone, please

let me know how many people he'd like to include, and I'll check with McDonough's office if this is ok. (I understand he likes to keep meetings small, so I'd suggest requesting to bring one person, or max two, if at all possible.)

Once you know who will attend, please fill out information for the meeting participants using this link:

<https://events.whitehouse.gov/form?rid=GQMPWV8KCJ>

Lastly, do you know what topics Mr. Lozhkin would like to discuss?

Thanks so much.

Best,  
Liz

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC [mailto:Elisabeth\_F\_Zentos@nsc.eop.gov]  
Sent: Tuesday, June 07, 2016 12:37 PM  
To: Oksana Shulyar <oksana.shulyar@mfa.gov.ua>  
Cc: 'Tarasiuk ukremb' <tarasiuk@ukremb.com>  
Subject: RE: Borys Lozhkin's visit and Hopko question

Thanks, Oksana! I'll snag the 9:30 spot and get back to you with details.

Yes, I heard that Hanna Hopko will meet with Anna and Colin in OVP. Do I understand correctly that she isn't interested in an NSC meeting, since we've received no request? An NSC meeting would be need to be at the director level (DAS equivalent level).

Thanks,  
Liz

-----Original Message-----

From: Oksana Shulyar [mailto:oksana.shulyar@mfa.gov.ua]  
Sent: Tuesday, June 7, 2016 11:43 AM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov>  
Cc: 'Tarasiuk ukremb' <tarasiuk@ukremb.com>  
Subject: RE: Borys Lozhkin's visit and Hopko question

Liz, could we get the 9.30-10.00 for Lozhkin at the WH. Thank you! Please let me know what additional information we have to provide.

Also, you may know that Hanna Hopko is here now. She will be have a meeting with Anna Macanju and Colin Kahl on Thursday at 5.30. Also for your information, she will be at the event tonight at the Embassy.

Best,  
Oksana

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC [mailto:Elisabeth\_F\_Zentos@nsc.eop.gov]  
Sent: Monday, June 06, 2016 8:52 PM  
To: Oksana Shulyar <oksana.shulyar@mfa.gov.ua>  
Cc: 'Tarasiuk ukremb' <tarasiuk@ukremb.com>  
Subject: RE: Borys Lozhkin's visit

Yes, tomorrow sounds great. Thank you!

-----Original Message-----

From: Oksana Shulyar [mailto:oksana.shulyar@mfa.gov.ua]

Sent: Monday, June 6, 2016 8:19 PM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov>  
Cc: 'Tarasiuk ukremb' <tarasiuk@ukremb.com>  
Subject: RE: Borys Lozhkin's visit

Thank you very much, Liz! Can I get back to you tomorrow with one of the options. Just need to align it with the most recent schedule on our side. Have a great evening and hope to see you tomorrow!

Best,  
Oksana

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC [mailto:Elisabeth\_F\_Zentos@nsc.eop.gov]  
Sent: Monday, June 06, 2016 7:55 PM  
To: Oksana Shulyar <oksana.shulyar@mfa.gov.ua>  
Cc: 'Tarasiuk ukremb' <tarasiuk@ukremb.com>  
Subject: RE: Borys Lozhkin's visit

Good news!

We should be able to hold the meeting on the 20th either 9:30-10:00am or 1:00-1:30pm.

Would one of those options work?

Thanks!

-----Original Message-----

From: Oksana Shulyar [mailto:oksana.shulyar@mfa.gov.ua]  
Sent: Monday, June 6, 2016 3:20 PM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov>  
Cc: 'Tarasiuk ukremb' <tarasiuk@ukremb.com>  
Subject: RE: Borys Lozhkin's visit

Thanks Liz, waiting for the good news!

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC [mailto:Elisabeth\_F\_Zentos@nsc.eop.gov]  
Sent: Monday, June 06, 2016 2:08 PM  
To: Oksana Shulyar <oksana.shulyar@mfa.gov.ua>  
Cc: 'Tarasiuk ukremb' <tarasiuk@ukremb.com>  
Subject: RE: Borys Lozhkin's visit

Woops, sorry, I see in your original email it's definitely the 20th that he'll be here. I'll go back to his staff and let them know. Thanks!

-----Original Message-----

From: Oksana Shulyar [mailto:oksana.shulyar@mfa.gov.ua]  
Sent: Monday, June 6, 2016 1:53 PM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov>  
Cc: 'Tarasiuk ukremb' <tarasiuk@ukremb.com>  
Subject: RE: Borys Lozhkin's visit

Thank you Liz, the dates were modified. He is in DC on June 20th, then he will travel to the West Coast.

Also, we know that there will be the Global Entrepreneurship Summit held in San-Francisco on June 22-23 and we would be very interested to have Borys to attend.

It is important for us, since he is involved in his official capacity in

advancing economic reforms, that also includes entrepreneurship and SMEs issues. Would very much appreciate if you could help.

Best regards,  
Oksana

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC [mailto:Elisabeth\_F\_Zentos@nsc.eop.gov]  
Sent: Monday, June 06, 2016 1:37 PM  
To: Oksana Shulyar <oksana.shulyar@mfa.gov.ua>  
Cc: 'Tarasiuk ukremb' <tarasiuk@ukremb.com>  
Subject: RE: Borys Lozhkin's visit

Hi Oksana,

We're hoping for an answer soon.

Just to confirm, this would be on June 22, yes?

Thanks,  
Liz

-----Original Message-----

From: Oksana Shulyar [mailto:oksana.shulyar@mfa.gov.ua]  
Sent: Monday, June 6, 2016 12:12 PM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov>  
Cc: 'Tarasiuk ukremb' <tarasiuk@ukremb.com>  
Subject: RE: Borys Lozhkin's visit

Dear Liz,

Now we have certainty that Borys Lozhkin will be in DC on June 20.

We already have a tentative confirmation from the VP's office. Could we still explore a possibility of having a meeting with the President's Chief of Staff Denis McDonough? I think it would be interesting for both. Your help would be very much appreciated.

Best,

Oksana

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC [mailto:Elisabeth\_F\_Zentos@nsc.eop.gov]  
Sent: Tuesday, May 24, 2016 3:52 PM  
To: Oksana Shulyar <oksana.shulyar@mfa.gov.ua>  
Subject: RE: Borys Lozhkin's visit

Hi Oksana,

We've reached out to them, but haven't received an answer yet, unfortunately. I check in with them again now. Sorry for the delay!

Thanks,  
Liz

-----Original Message-----

From: Oksana Shulyar [mailto:oksana.shulyar@mfa.gov.ua]  
Sent: Tuesday, May 24, 2016 3:36 PM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov>  
Subject: FW: Borys Lozhkin's visit

Hi Liz,

Wanted to follow up on our earlier request. Was there any feedback from Denis McDonough's office, by any chance?

Thank you!  
Oksana

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC [mailto:Elisabeth\_F\_Zentos@nsc.eop.gov]  
Sent: Friday, May 20, 2016 5:27 PM  
To: Oksana Shulyar <oksana.shulyar@mfa.gov.ua>  
Subject: RE: Borys Lozhkin's visit

Thanks, Oksana! I'll let you know as soon as I hear back.

-----Original Message-----

From: Oksana Shulyar [mailto:oksana.shulyar@mfa.gov.ua]  
Sent: Friday, May 20, 2016 4:59 PM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov>  
Subject: Borys Lozhkin's visit

Dear Liz,

Further to our conversation, please find a link to Borys Lozhkin's bio  
>>>>>>>>>http://www.president.gov.ua/en/administration/apu-structure/gla<  
>>>>>>>>>v<  
>>>>>>>>>a<  
>>>>>>>>>-<  
>>>>>>>>>a<  
>>>>>d<  
>>>>m<  
>>>i<  
>>nistr<  
aciyi-prezidenta-ukrayini<.

The tentative date of his DC visit is June 22.

Thank you very much for all your kind assistance in this matter.

Best,

Oksana

HSGAC MAJORITY STAFF EXHIBIT

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

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**From:** Zentos, Elisabeth F. EOP/NSC <elisabeth\_f\_zentos@nsc.eop.gov>  
**Sent:** Saturday, June 18, 2016 5:13 PM  
**To:** Ciaramella, Eric; Ciaramella, Eric  
**Subject:** Fwd: Ukraine's COS request to meet Denis

He speaks English, right?

And Charlie seemed fine with the format as long as he's included, yes?

Sent from my iPhone

Begin forwarded message:

From: "Wang, Jenny W. EOP/WHO" <Ya\_W\_Wang@who.eop.gov<mailto:Ya\_W\_Wang@who.eop.gov>>  
Date: June 18, 2016 at 3:14:10 PM EDT  
To: "Zentos, Elisabeth F. EOP/NSC"  
<Elisabeth\_F\_Zentos@nsc.eop.gov<mailto:Elisabeth\_F\_Zentos@nsc.eop.gov>>  
Cc: "Freshwater, Meg E. EOP/NSC"  
<Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>, "Ciaramella, Eric A.  
EOP/NSC" <Eric\_A\_Ciaramella@nsc.eop.gov<mailto:Eric\_A\_Ciaramella@nsc.eop.gov>>, "Hartwell, Kyle E.  
EOP/NSC" <Kyle\_E\_Hartwell@nsc.eop.gov<mailto:Kyle\_E\_Hartwell@nsc.eop.gov>>  
Subject: RE: Ukraine's COS request to meet Denis

If Charlie believes this manifest is appropriate, we'll make it work.

As a reminder, we only have 30-minutes for this meeting. Assume we will not need a translator, correct?

From: Zentos, Elisabeth F. EOP/NSC  
Sent: Saturday, June 18, 2016 2:16 PM  
To: Wang, Jenny W. EOP/WHO <Ya\_W\_Wang@who.eop.gov<mailto:Ya\_W\_Wang@who.eop.gov>>  
Cc: Freshwater, Meg E. EOP/NSC  
<Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Ciaramella, Eric A.  
EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov<mailto:Eric\_A\_Ciaramella@nsc.eop.gov>>; Hartwell, Kyle E.  
EOP/NSC <Kyle\_E\_Hartwell@nsc.eop.gov<mailto:Kyle\_E\_Hartwell@nsc.eop.gov>>  
Subject: RE: Ukraine's COS request to meet Denis

Jenny,

I just sent you a read-ahead, cleared by DNSA Avril Haines, on JWICs. Please let us know if anything additional would be helpful.

The Ukrainians have requested to have the meeting be 1 + 3 if possible. In addition to Mr. Lozhkin, they have requested that his two advisors attend (Nataliia Popovych and Oleg Kylymnyk), as well as Ambassador Chaliy (or Political Counselor Oksana Shulyar if the Ambassador is unable to attend for some reason). Will this be ok?

On our side, we would like to have Senior Director for Europe Charlie Kupchan attend, if possible. If there is additional space to fill, we would have Eric Ciaramella (Director for Ukraine and the Baltics) and me attend.

We have submitted WAVES info for the Ukrainian participants and will take care of escorting them to Denis' office. Please let us know if we can do anything additional to assist.

Thanks so much for all your help.

Best,

Liz

Liz Zentos  
Director for Eastern Europe  
National Security Council  
202-456-9158

-----Original Message-----

From: Wang, Jenny W. EOP/WHO  
Sent: Tuesday, June 7, 2016 12:49 PM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov<mailto:Elisabeth\_F\_Zentos@nsc.eop.gov>>  
Cc: Kupchan, Charles A. EOP/NSC  
<Charles\_A\_Kupchan@nsc.eop.gov<mailto:Charles\_A\_Kupchan@nsc.eop.gov>>; Quillian, Natalie H. EOP/WHO  
<natalie\_h\_quillian@who.eop.gov<mailto:natalie\_h\_quillian@who.eop.gov>>; Freshwater, Meg E. EOP/NSC  
<Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Ciaramella, Eric A.  
EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov<mailto:Eric\_A\_Ciaramella@nsc.eop.gov>>; Hartwell, Kyle E.  
EOP/NSC <Kyle\_E\_Hartwell@nsc.eop.gov<mailto:Kyle\_E\_Hartwell@nsc.eop.gov>>  
Subject: RE: Ukraine's COS request to meet Denis

We will host in Denis's office, assuming it's just Mr. Lozhkin?

Thank you.

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC  
Sent: Tuesday, June 7, 2016 12:43 PM  
To: Wang, Jenny W. EOP/WHO <Ya\_W\_Wang@who.eop.gov<mailto:Ya\_W\_Wang@who.eop.gov>>  
Cc: Kupchan, Charles A. EOP/NSC  
<Charles\_A\_Kupchan@nsc.eop.gov<mailto:Charles\_A\_Kupchan@nsc.eop.gov>>; Quillian, Natalie H. EOP/WHO  
<natalie\_h\_quillian@who.eop.gov<mailto:natalie\_h\_quillian@who.eop.gov>>; Freshwater, Meg E. EOP/NSC  
<Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Ciaramella, Eric A.  
EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov<mailto:Eric\_A\_Ciaramella@nsc.eop.gov>>; Hartwell, Kyle E.  
EOP/NSC <Kyle\_E\_Hartwell@nsc.eop.gov<mailto:Kyle\_E\_Hartwell@nsc.eop.gov>>  
Subject: RE: Ukraine's COS request to meet Denis

Perfect.

Yes, we're happy to handle WAVES and escorting, and to draft a read ahead.

Do we know where the meeting will take place?

Thanks again,

Liz

-----Original Message-----

From: Wang, Jenny W. EOP/WHO

Sent: Tuesday, June 7, 2016 12:42 PM

To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov<mailto:Elisabeth\_F\_Zentos@nsc.eop.gov>>

Cc: Kupchan, Charles A. EOP/NSC <Charles\_A\_Kupchan@nsc.eop.gov<mailto:Charles\_A\_Kupchan@nsc.eop.gov>>; Quillian, Natalie H. EOP/WHO <natalie\_h\_quillian@who.eop.gov<mailto:natalie\_h\_quillian@who.eop.gov>>; Freshwater, Meg E. EOP/NSC <Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Ciaramella, Eric A. EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov<mailto:Eric\_A\_Ciaramella@nsc.eop.gov>>

Subject: RE: Ukraine's COS request to meet Denis

Thank you.

We can confirm a meeting from 9:30-10:00am on Monday (6/20).

Will your office handle the WAVES and escorting?

A read ahead would also be welcome.

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC

Sent: Tuesday, June 7, 2016 12:40 PM

To: Wang, Jenny W. EOP/WHO <Ya\_W\_Wang@who.eop.gov<mailto:Ya\_W\_Wang@who.eop.gov>>

Cc: Kupchan, Charles A. EOP/NSC <Charles\_A\_Kupchan@nsc.eop.gov<mailto:Charles\_A\_Kupchan@nsc.eop.gov>>; Quillian, Natalie H. EOP/WHO <natalie\_h\_quillian@who.eop.gov<mailto:natalie\_h\_quillian@who.eop.gov>>; Freshwater, Meg E. EOP/NSC <Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Ciaramella, Eric A. EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov<mailto:Eric\_A\_Ciaramella@nsc.eop.gov>>

Subject: RE: Ukraine's COS request to meet Denis

Hi Jenny,

The Ukrainians would like to take the 9:30 spot on June 20.

Just let me know what further steps we should take regarding paper, access, etc.

Thanks so much.

Best,

Liz

-----Original Message-----

From: Wang, Jenny W. EOP/WHO

Sent: Monday, June 6, 2016 9:08 PM

To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov<mailto:Elisabeth\_F\_Zentos@nsc.eop.gov>>

Cc: Kupchan, Charles A. EOP/NSC <Charles\_A\_Kupchan@nsc.eop.gov<mailto:Charles\_A\_Kupchan@nsc.eop.gov>>; Quillian, Natalie H. EOP/WHO <natalie\_h\_quillian@who.eop.gov<mailto:natalie\_h\_quillian@who.eop.gov>>; Freshwater, Meg E. EOP/NSC <Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Ciaramella, Eric A. EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov<mailto:Eric\_A\_Ciaramella@nsc.eop.gov>>

Subject: Re: Ukraine's COS request to meet Denis

Great, thanks.

On Jun 6, 2016, at 8:53 PM, Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov<mailto:Elisabeth\_F\_Zentos@nsc.eop.gov>> wrote:

Hi Jenny,

The Ukrainians asked if they could get back to us tomorrow with their preferred choice of the two times below. I'll let you know as soon as I hear back.

Thanks so much!

Best,

Liz

-----Original Message-----

From: Wang, Jenny W. EOP/WHO

Sent: Monday, June 6, 2016 7:44 PM

To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov<mailto:Elisabeth\_F\_Zentos@nsc.eop.gov>>; Kupchan, Charles A. EOP/NSC <Charles\_A\_Kupchan@nsc.eop.gov<mailto:Charles\_A\_Kupchan@nsc.eop.gov>>; Quillian, Natalie H. EOP/WHO <natalie\_h\_quillian@who.eop.gov<mailto:natalie\_h\_quillian@who.eop.gov>>

Cc: Freshwater, Meg E. EOP/NSC <Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Ciaramella, Eric A. EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov<mailto:Eric\_A\_Ciaramella@nsc.eop.gov>>

Subject: RE: Ukraine's COS request to meet Denis

We should be able to make a meeting work from 9:30-10:00am on Monday (6/20). If afternoon is better, 1:00-1:30pm should also work as well.

Let me know if they are able to confirm a date/time.

Thank you.

-----Original Message-----

From: Zentos, Elisabeth F. EOP/NSC

Sent: Monday, June 6, 2016 2:50 PM

To: Kupchan, Charles A. EOP/NSC <Charles\_A\_Kupchan@nsc.eop.gov<mailto:Charles\_A\_Kupchan@nsc.eop.gov>>; Wang, Jenny W. EOP/WHO <Ya\_W\_Wang@who.eop.gov<mailto:Ya\_W\_Wang@who.eop.gov>>; Quillian, Natalie H. EOP/WHO <natalie\_h\_quillian@who.eop.gov<mailto:natalie\_h\_quillian@who.eop.gov>>

Cc: Freshwater, Meg E. EOP/NSC  
<Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Ciaramella, Eric A.  
EOP/NSC <Eric\_A\_Ciaramella@nsc.eop.gov<mailto:Eric\_A\_Ciaramella@nsc.eop.gov>>

Subject: RE: Ukraine's COS request to meet Denis

Colleagues -- Apologies, but I just found out that Lozhkin will actually be here on June 20 (not the 22nd as originally planned).

Thanks,

Liz

-----Original Message-----

From: Kupchan, Charles A. EOP/NSC

Sent: Monday, June 6, 2016 12:59 PM

To: Wang, Jenny W. EOP/WHO <Ya\_W\_Wang@who.eop.gov<mailto:Ya\_W\_Wang@who.eop.gov>>; Quillian,  
Natalie H. EOP/WHO <natalie\_h\_quillian@who.eop.gov<mailto:natalie\_h\_quillian@who.eop.gov>>

Cc: Freshwater, Meg E. EOP/NSC  
<Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Zentos, Elisabeth F.  
EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov<mailto:Elisabeth\_F\_Zentos@nsc.eop.gov>>

Subject: RE: Ukraine's COS request to meet Denis

Jenny:

We would like to go ahead and schedule this meeting with Denis. Thanks

Charlie

-----Original Message-----

From: Wang, Jenny W. EOP/WHO

Sent: Tuesday, May 24, 2016 7:36 PM

To: Kupchan, Charles A. EOP/NSC  
<Charles\_A\_Kupchan@nsc.eop.gov<mailto:Charles\_A\_Kupchan@nsc.eop.gov>>; Quillian, Natalie H. EOP/WHO  
<natalie\_h\_quillian@who.eop.gov<mailto:natalie\_h\_quillian@who.eop.gov>>

001141

Cc: Freshwater, Meg E. EOP/NSC  
<Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Zentos, Elisabeth F.  
EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov<mailto:Elisabeth\_F\_Zentos@nsc.eop.gov>>

Subject: RE: Ukraine's COS request to meet Denis

Hi Charlie -

If you recommend that Denis do this meeting, then we can find a time to schedule it on June 22.

Let me know what works. Thank you.

-----Original Message-----

From: Kupchan, Charles A. EOP/NSC

Sent: Friday, May 20, 2016 7:59 PM

To: Quillian, Natalie H. EOP/WHO <natalie\_h\_quillian@who.eop.gov<mailto:natalie\_h\_quillian@who.eop.gov>>

Cc: Wang, Jenny W. EOP/WHO <Ya\_W\_Wang@who.eop.gov<mailto:Ya\_W\_Wang@who.eop.gov>>; Freshwater,  
Meg E. EOP/NSC <Margaret\_E\_Freshwater@nsc.eop.gov<mailto:Margaret\_E\_Freshwater@nsc.eop.gov>>; Zentos,  
Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov<mailto:Elisabeth\_F\_Zentos@nsc.eop.gov>>

Subject: Ukraine's COS request to meet Denis

Natalie:

Boris Lozhkin, President Poroshenko's COS, has asked to meet Denis on June 22. You may recall that we were in the midst of setting up a meeting between Denis and Lozhkin a couple of months ago, but Lozhkin had to cancel his trip. Might June 22 work?

Charlie

**From:** Nuland, Victoria J  
**Sent:** Wed, 30 Mar 2016 16:28:04 -0400  
**To:** Pyatt, Geoffrey R; [REDACTED]  
**Subject:** RE: UA lobbyist

And they can't spell the President's name

---

**From:** Pyatt, Geoffrey R  
**Sent:** Wednesday, March 30, 2016 12:18 AM  
**To:** Nuland, Victoria J; [REDACTED]  
**Subject:** UA lobbyist

So I see below Ukraine hired a new lobbyist – same firm that saw Kathy Novelli complaining about my pressure on the PGO's cover-up of the case against the disgraced Yanukovich era environment minister....

From: Karen Tramontano [<http://redirect.state.sbu/?url=mailto:Karen.Tramontano@bluestarstrategies.com>]  
Sent: Monday, March 28, 2016 11:21 AM  
To: McDonough, Denis R. EOP/WHO <[REDACTED]>  
Subject: Possible meeting

Dear Dennis,

I know you are extraordinarily busy – so I hesitate to even write. I am assisting the Office of the President (Ukraine) with his upcoming visit to the US. His Chief of Staff, Boris Lozhkin has asked whether it would be possible to meet you. While Lozhkin will be with President Porachenko throughout the visit, he will not be attending the dinner President Obama is hosting on 3/31 and wondered whether it would be possible to meet you during that time or if there is another time that would be more convenient for you? Currently, Lozhkin arrives with the President on 3/30 and leaves with him on 4/1. Thank you Dennis for your consideration. I do hope you are doing well.

My best regards

Karen

Karen A. Tramontano

Blue Star Strategies

(+1) 202-833-1265 direct

(+1) [REDACTED]

(+1) 202-822-9088 fax

[karen.tramontano@bluestarstrategies.com](mailto:karen.tramontano@bluestarstrategies.com)

<<http://redirect.state.sbu/?url=mailto:patrick.boland@bluestarstrategies.com>>

888 17th Street NW, Suite 800

Washington, DC 20006

>[www.bluestarstrategies.com](http://www.bluestarstrategies.com)<

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SBU

This email is UNCLASSIFIED.

**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

**From:** Oksana Shulyar <oksana.shulyar@mfa.gov.ua>  
**Sent:** Monday, June 6, 2016 2:29 PM  
**To:** Zentos, Elisabeth; Zentos, Elisabeth  
**Subject:** Invitation: Women's Leadership Event at the Embassy of Ukraine June 7, 2016  
**Attachments:** FINAL - THE HOUSE OF UKRAINE-6.png

Dear Liz,

Thank you very much for your assistance with Lozhkin's visit.

Please find attached an invitation to an event that we are hosting tomorrow. It would be great to see you there if your schedule permits.

Best,

Oksana

MAJORITY STAFF EXHIBIT



**Alexa Chopivsky & Alexandra Chalupa**

HOUSE OF UKRAINE CO-CHAIRS

**In collaboration with the Embassy of Ukraine**

INVITE YOU TO THE

---

# **HOUSE OF UKRAINE**

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INAUGURAL WOMEN'S EMPOWERMENT CELEBRATION OF  
**IMMIGRANT HERITAGE MONTH**

FEATURING

*Ambassador Valeriy Chaly*  
&

*Hon. Melanne Verweer*

*Joined by a delegation of female Members of the Parliament of Ukraine*

Tuesday, June 7th, 6 pm - 9 pm

Embassy of Ukraine

3350 M St NW, Washington, DC 20007



## **HOUSE OF UKRAINE**

Invites you to its Inaugural Women's Empowerment Celebration of

## **IMMIGRANT HERITAGE MONTH**

FEATURING

***Ambassador Valeriy Chaly***  
Ambassador of Ukraine to the United States

&

***Hon. Melanne Verweer***

**Ukrainian-American  
First-ever U.S. Ambassador-At-Large for Global Women's Issues  
Executive Director, Georgetown University's Institute for Women Peace and Security**

**JOINED BY**

***A delegation of female Members of Ukraine's Parliament***

**Tuesday, June 7, 2016  
Doors Open at 6 pm  
Program Begins at 6:30 pm**

**Embassy of Ukraine  
3350 M Street NW  
Washington, DC 20007**

The evening will include a speaking program about the Ukraine crisis and the important role of women in leadership, followed by a reception of Ukrainian food, drinks, and music. Amb. Verveer will sign copies of her book 'Fast Forward: How Women Can Achieve Power and Purpose' which will be available for purchase.

**This invitation is non-transferable. Space is limited.**

**We hope you can join us for this unique opportunity.**

**Alexa Chopivsky & Alexandra Chalupa  
House of Ukraine Co-Chairs**

**&**

**The Embassy of Ukraine**

**Thank you to our event sponsor:**



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House of Ukraine is a pilot program in partnership with the Embassy of Ukraine to share information about the current situation in Ukraine while promoting Ukraine's unique culture through food, dance and music. Each program highlights Ukrainian-Americans who are doing tremendous work in the United States and on behalf of their Ukrainian heritage.



**Alexa Chopivsky & Alexandra Chalupa**

HOUSE OF UKRAINE CO-CHAIRS

**In collaboration with the Embassy of Ukraine**

INVITE YOU TO THE

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## **HOUSE OF UKRAINE**

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INAUGURAL WOMEN'S EMPOWERMENT CELEBRATION OF  
**IMMIGRANT HERITAGE MONTH**

FEATURING

*Ambassador Valeriy Chaly*  
&

*Hon. Melanne Verweer*

*Joined by a delegation of female Members of the Parliament of Ukraine*

**Tuesday, June 7th, 6 pm - 9 pm**

**Embassy of Ukraine**

**3350 M St NW, Washington, DC 20007**



**BEGINNING OF  
NEW RECORD**

HSGAC MAJORITY STAFF EXHIBIT

---

**From:** Zentos, Elisabeth F. EOP/NSC <elisabeth\_f\_zentos@nsc.eop.gov>  
**Sent:** Monday, June 6, 2016 3:53 PM  
**To:** Oksana Shulyar  
**Subject:** RE: Invitation: Women's Leadership Event at the Embassy of Ukraine June 7, 2016

Thanks so much for the invitation, Oksana!

Sounds like an event I'd really enjoy. I'm going to attempt to make it, although am worried I might be stuck here late tomorrow. I'll let you know tomorrow once I know for sure whether I can get away.

Thanks much!

-----Original Message-----

From: Oksana Shulyar [mailto:oksana.shulyar@mfa.gov.ua]  
Sent: Monday, June 6, 2016 2:29 PM  
To: Zentos, Elisabeth F. EOP/NSC <Elisabeth\_F\_Zentos@nsc.eop.gov>  
Subject: Invitation: Women's Leadership Event at the Embassy of Ukraine June 7, 2016

Dear Liz,

Thank you very much for your assistance with Lozhkin's visit.

Please find attached an invitation to an event that we are hosting tomorrow. It would be great to see you there if your schedule permits.

Best,

Oksana

HOUSE OF UKRAINE

Invites you to its Inaugural Women's Empowerment Celebration of

IMMIGRANT HERITAGE MONTH

FEATURING

Ambassador Valeriy Chaly  
Ambassador of Ukraine to the United States

&

Hon. Melanne Verveer

002334

Ukrainian-American  
First-ever U.S. Ambassador-At-Large for Global Women's Issues  
Executive Director, Georgetown University's Institute for Women Peace and Security

JOINED BY

A delegation of female Members of Ukraine's Parliament

Tuesday, June 7, 2016  
Doors Open at 6 pm  
Program Begins at 6:30 pm

Embassy of Ukraine  
3350 M Street NW  
Washington, DC 20007

The evening will include a speaking program about the Ukraine crisis and the important role of women in leadership, followed by a reception of Ukrainian food, drinks, and music. Amb. Verveer will sign copies of her book 'Fast Forward: How Women Can Achieve Power and Purpose' which will be available for purchase.

This invitation is non-transferable. Space is limited.

We hope you can join us for this unique opportunity.

Alexa Chopivsky & Alexandra Chalupa  
House of Ukraine Co-Chairs

&

The Embassy of Ukraine

Thank you to our event sponsor:

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House of Ukraine is a pilot program in partnership with the Embassy of Ukraine to share information about the current situation in Ukraine while promoting Ukraine's unique culture through food, dance and music. Each program highlights Ukrainian-Americans who are doing tremendous work in the United States and on behalf of their Ukrainian heritage.

Levy Firestone Muse LLP  
1401 K Street NW, Suite 600  
Washington, DC 20005

T (202) 845-3215  
F (202) 595-8253

levyfirestone.com

July 18, 2020

via Electronic Mail

Joe Folio  
Counsel  
US Senate Committee on Homeland Security  
and Governmental Affairs  
[Joe.Folio@hsgac.senate.gov](mailto:Joe.Folio@hsgac.senate.gov)

**Re: *Voluntary Testimony of Elisabeth Zentos***

Dear Joe:

We write on behalf of Elisabeth Zentos, who is scheduled to appear for a voluntary transcribed interview on July 20, 2020, in furtherance of the inquiry conducted by the US Senate Committee on Homeland Security and Governmental Affairs and the US Senate Committee on Finance into “potential conflicts of interest relating to the Obama administration’s policy decisions with respect to Ukraine and Burisma Holdings,” and “the extent to which representatives of Burisma used individuals with close personal connections to high-level officials within the Obama administration to gain access to and potentially influence U.S. government agencies.” Letter from Chairman Johnson and Chairman Grassley to Sec. Pompeo (Apr. 30, 2020), at 1.

Committee staff represented that the focus of Ms. Zentos’ interview would be 2016 and expressed interest in speaking with Ms. Zentos specifically about the news

July 18, 2020

media's account that she attended a meeting on January 19, 2016, with Ukrainian and US officials where Burisma Holdings and Hunter Biden were reportedly discussed.<sup>1</sup> Ms. Zentos served as a staff member on the National Security Council from June 2015 to August 2016, when she enrolled in foreign language classes at the Foreign Service Institute to help prepare for a subsequent assignment at the State Department. As a civil servant, she is willing to cooperate and voluntarily appear before you on July 20, 2020, where she will balance the interest of the Committees to obtain information pertinent to their inquiry with her obligations, including but not limited to the discretion expected of a former member of National Security Council staff.

In advance of the scheduled interview and in furtherance of her cooperation with the Committees, please note that, while she is not certain of the precise date, Ms. Zentos does recall attending a meeting with Ukrainian and US officials on or about January 19, 2016, but she has no recollection of either Hunter Biden or Burisma being discussed at that meeting – contrary to the news reporting. Nor does Ms. Zentos recall the topics of either Burisma Holdings or Hunter Biden arising out of any official government business where she was present or in which she participated. She does not recall meeting with, or otherwise being in communication with, Hunter Biden or anyone from Burisma Holdings. Nor does she recall attending meetings with anyone reportedly representing Burisma Holdings, including but not limited to Blue Star and Karen Tramontano. Ms. Zentos does not recall the subject of Burisma Holdings or Hunter Biden being discussed at any government meeting in which she participated with US and/or Ukrainian officials. Nor does she recall the subject of Burisma Holdings or Hunter Biden appearing in any government communication she sent or received.

In light of the foregoing, please advise whether you would like to proceed with the interview. If so, please send us, in advance of the interview, any documents you

---

<sup>1</sup> Daniel Chaitin, *Laura Ingraham shows emails tying alleged Ukraine whistleblower to Obama White House meeting on Burisma*, WASH. EXAMINER (Jan. 23, 2020) (reporting on an email from New York Times reporter Ken Vogel indicating his intention to report that Elisabeth Zentos attended a meeting at the White House on January 19, 2016, with Ukrainian prosecutors and other US government officials regarding efforts within the US government to support prosecutions of Burisma Holdings and "concerns that Hunter Biden's position with the company could complicate such efforts"), <https://www.washingtonexaminer.com/news/laura-ingraham-shows-emails-tying-alleged-ukraine-whistleblower-to-obama-white-house-meeting-on-burisma>.

Letter to J. Folio  
Page 3 of 3  
July 18, 2020

intend on showing the witness, because it will be impractical for the witness and counsel to receive them in the middle of the remotely conducted interview, if the witness is to be given a meaningful opportunity to review a document about which she is being questioned.

Sincerely,

A handwritten signature in blue ink that reads "Joshua A. Levy". The signature is fluid and cursive, with a large initial 'J' and a long horizontal stroke at the end.

Joshua A. Levy  
Zachary Blau

cc: Soumyalatha Dayananda, Brian Downey, Alan Kahn, Zachary Schram, Scott Wittman, US Senate Committee on Homeland Security and Governmental Affairs staff

David Berick, Joshua Flynn-Brown, Daniel Goshorn, Senate Committee on Finance staff



## OFFICE OF BARACK AND MICHELLE OBAMA

March 13, 2020

The Honorable David S. Ferriero  
Archivist of the United States  
National Archives and Records Administration  
700 Pennsylvania Avenue NW  
Washington, DC 20408

Dear Mr. Ferriero:

I write in connection with the November 21, 2019 request from Senator Johnson and Senator Grassley to the National Archives and Records Administration (NARA) for Obama administration records related to certain meetings connected to Ukraine.

As you know, under the Presidential Records Act, the records requested are scheduled for release pursuant to terms set under that Act. NARA is authorized to provide special access to presidential records to a Committee of either House of Congress before their scheduled release date, provided the information in the records “is needed for the conduct of its business” and “is not otherwise available.” 44 U.S.C. § 2205(2)(C). By law, both the former and incumbent Presidents are provided an opportunity to review the documents and withhold documents from release in order to protect the constitutionally based interest in the confidentiality of presidential communications. The express terms of the Presidential Records Act, together with the established norms governing its ongoing administration, achieve Congress’ legislative purpose of ensuring the public ownership of presidential records while “assiduously minimize[ing] outside interference with the day-to-day operations of the President and his closest advisors....” *Armstrong v. Bush*, 982 F.2d 38 (D.C. Cir. 1991).

President Obama has consistently supported the nonpartisan administration of presidential records and the commitment to transparency core to NARA’s mission.<sup>1</sup> However, the current request is not a proper use of the limited NARA exceptions. It arises out of efforts by some, actively supported by Russia, to shift the blame for Russian interference in the 2016 election to Ukraine. *See Fiona Hill HSPCI Testimony at 39-40* (“Based on questions I have heard, some of you on this committee appear to believe that Russia and its security services did not conduct a campaign against our country and that, perhaps, somehow for some reason Ukraine did. This is a fictional narrative that is being perpetrated and propagated by the Russian security services themselves.”); *David Hale Senate Committee on Foreign Relations Testimony of December 3, 2019* (“I have seen no credible evidence about these allegations of Ukraine.”).

The request for early release of presidential records in order to give credence to a Russian disinformation campaign – one that has already been thoroughly investigated by a bipartisan congressional committee – is without precedent. *See Natasha Bertrand, Senate panel look into Ukraine interference comes up short,*

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<sup>1</sup> Since 2017, the Office of President Obama has produced 12,880 pages of presidential records in response to special access requests from the White House and Congress.



## OFFICE OF BARACK AND MICHELLE OBAMA

Politico (Dec. 2, 2019). This use of the special access process serves no legitimate purpose, and does not outweigh or justify infringing confidentiality interests that all presidents have sought to protect.

Nevertheless, in the interest of countering the misinformation campaign underlying this request, we are prepared on this occasion to provide the Committees access to the records responsive to this request. In doing so, we emphasize that abuse of the special access process strikes at the heart of presidential confidentiality interests and undermines the statutory framework and norms that govern access to presidential records.

Sincerely,

A handwritten signature in dark ink, reading "Anita Decker Breckenridge". The signature is fluid and cursive, with a long horizontal stroke at the end.

Anita Decker Breckenridge  
Records Representative to President Obama

cc: The Honorable Ron Johnson  
The Honorable Charles E. Grassley

# Statement On the Ukrainian-American Strategic Partnership

23 May, 20:11

***Kyiv Security Forum expresses gratitude to the distinguished Ukrainian politicians, diplomats and civic activists for their support of the appeal to the American leaders and society on the importance of protecting the Ukrainian-American strategic partnership.***

## **Statement On the Ukrainian-American Strategic Partnership**

We, the representatives of Ukrainian politics, civil society, and the expert community, are deeply concerned to watch a campaign to involve Ukraine in the political competition in the United States unfold with renewed vigor.

Ukraine greatly appreciates the steadfast support of the American people for our independence, security, and Western course.

Our nations share the common values of national and human freedom.

The combined efforts of the two largest political parties in the United States and all concerned Americans to defend Ukraine are a major historical contribution to the creation of a united Europe and a just world order.

We call on American leaders to distinguish between the position of new Ukraine, which stands for the unity of the West and acts to unite democracies around the world, and those forces that seek to turn the political developments in our country into a toxic narrative to sow discord among our partners.

We oppose the dishonest attempts to use the political controversies in the United States. We do not choose any side, but support each of them in the same way that they together help Ukraine's independence.

We call on America's leaders to distinguish between the position of our nation from the actions of politicians instigated by Moscow.

We condemn hostile provocations aimed at alienating our nations.

We believe in the strategic partnership between Ukraine and the United States.

Let us not allow mutual distrust and doubt to erode this great and lasting relationship.

Let us stand together in times of great trials.

*Signed on May 22-23, 2020*

\* \* \*

**Arseniy Yatsenyuk**, Chairman of the Kyiv Security Forum, Prime Minister of Ukraine (2014-2016).

**Oleksandr Turchynov**, acting President of Ukraine, Speaker of the Verkhovna Rada of Ukraine (2014), National Security Advisor (2014-2019).

**Oksana Zabuzhko**, writer, National Taras Shevchenko Prize laureate.

**Joseph Zissels**, member of the First of December Initiative Group, member of the Strategic Council of the Movement against Capitulation.

**Myroslav Marynovych**, Vice-Rector of the Ukrainian Catholic University, political dissident and prisoner of conscience under the Soviet occupation, member of the First of December Initiative Group.

**Yevhen Zakharov**, Chairperson of the Kharkiv Human Rights Group, Head of the Board of the Ukrainian Helsinki Human Rights Group, member of the First of December Initiative Group.

**Leonid Finberg**, Director of the Research Center of the History and Culture of Eastern European Jewry at the National University of Kyiv-Mohyla Academy, Editor-in-Chief of the “Dukh i Litera” Publishing house.

**Ihor Kozlovsky**, prisoner of the Russian occupation regime in Donbas, President of the Center for Religious Studies, member of the First of December Initiative Group.

**Lilia Hrynevych**, Minister of Education of Ukraine (2016-2019).

**Volodymyr Vasylenko**, Ambassador Extraordinary and Plenipotentiary, Judge of the International Criminal Tribunal for former Yugoslavia (2001-2005), Representative of Ukraine to the UN Human Rights Council (2006-10).

**Volodymyr Ohryzko**, Ambassador Extraordinary and Plenipotentiary, Minister for Foreign Affairs of Ukraine (2007-2009).

**Danylo Lubkivsky**, Deputy Foreign Minister of Ukraine (2014), member of the Board of Open Ukraine Foundation.

**Ivanna Klympush-Tsintsadze**, Chair of the Parliamentary Committee on Ukraine’s integration into the EU, European Solidarity faction, Deputy Prime Minister for European and Euro-Atlantic integration of Ukraine (2016-2019).

**Yuriy Shcherbak**, Ambassador Extraordinary and Plenipotentiary of Ukraine to Israel (1992-1994), the United States (1994-1998), Canada (2000-2003).

**Oleksandr Motsyk**, First Deputy Foreign Minister of Ukraine (2004-2005), Ambassador Extraordinary and Plenipotentiary of Ukraine to the United States (2010-2015).

**Valeriy Chaly**, Ambassador Extraordinary and Plenipotentiary of Ukraine to the United States (2015-2019), Chair of the Board of the Ukrainian Crisis Media Center.

**Hanna Hopko**, civic activist, Chairwoman of the Parliamentary Committee on Foreign Affairs (2014-2019).

**Roman Bezsmetny**, Ambassador Extraordinary and Plenipotentiary, Vice-Prime-Minister of Ukraine (2005).

**Natalia Popovych**, Co-Founder of the Ukrainian Crisis Media Center, Founder of One Philosophy Group.

**Ivan Vasyunyk**, Head of the Supervisory Board of the International Foundation for the Development of the Holodomor Victims’ Memorial, Vice-Prime-Minister of Ukraine (2007-2010).

**Solomiia Bobrovska**, member of the Verkhovna Rada of Ukraine of IX convocation, Holos / Voice faction.

**Ostap Semerak**, Minister of the Cabinet of Ministers of Ukraine (2014), Minister of Ecology of Ukraine (2016-2019), member of the Verkhovna Rada of Ukraine of VI and VIII convocations.

**Iryna Geraschenko**, member of the Verkhovna Rada of Ukraine of IX convocation, Co-Chair of the European Solidarity faction, First Deputy Speaker of the Verkhovna Rada of Ukraine (2016-2019).

**Serhiy Kvit**, Minister of Education of Ukraine (2014-2016), professor at the National University of Kyiv-Mohyla Academy.

**Svitlana Voitsekhivska**, member of the Verkhovna Rada of Ukraine of VIII convocation, member of the Board of Open Ukraine Foundation.

**Maksym Burbak**, Minister of Infrastructure of Ukraine (2014), member of the Verkhovna Rada of Ukraine of VII and VIII convocations.

**Iryna Friz**, member of the Verkhovna Rada of Ukraine of VIII and IX convocations, European Solidarity faction, Minister of Veterans Affairs (2018-2019).

**Mykola Kniazhytskyi**, journalist, member of the Verkhovna Rada of Ukraine of VIII and IX convocations.

**Maria Ionova**, member of the Verkhovna Rada of Ukraine of VIII and IX convocations, European Solidarity faction.

**Mykola Ryabchuk**, Honorary President of the Ukrainian PEN-Club.

**Myroslava Barchuk**, journalist, member of the Ukrainian PEN-Club.

**Vitaliy Portnykov**, journalist, writer.

**Volodymyr Yermolenko**, philosopher, Chief-editor of UkraineWorld Initiative, analytics director at Internews Ukraine.

**Vakhtang Kebuladze**, philosopher, professor at the Kyiv Taras Shevchenko National University.

**Taras Lyuty**, philosopher, professor at the National University of Kyiv-Mohyla Academy.

**Mykhaylo Basarab**, civic activist, Coordinator of the Movement against Capitulation.

**Victoria Ptashnyk**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Viktor Yelensky**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Borys Potapenko**, Head of International Council in Support of Ukraine.

**Serhiy Vysotsky**, journalist, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Andriy Levus**, civic activist, Coordinator of the Movement against Capitulation, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Oleksandr Sochka**, member of the Verkhovna Rada of Ukraine of VI, VII and VIII convocations.

**Mykhaylo Khmil**, member of the Verkhovna Rada of Ukraine of VIII convocation.

**Myroslav Hai**, civic activist, Chairman of the Peace and Co Charitable Foundation.

**Yevhen Bystrytsky**, philosopher.

**Kateryna Smagliy**, Director of the International Cooperation Department at the Diplomatic Academy of Ukraine's Foreign Ministry.

**Mykola Horbal**, poet, political prisoner under the Soviet occupation.

**Volodymyr Dubrovsky**, economist.

**Borys Zakharov**, Director of "Human and Right" Charitable Foundation.

**Hennadiy Kurochka**, member of the Board of the Ukrainian Crisis Media Center.

**Oleksiy Panych**, philosopher, member of the Ukrainian PEN-Club.

**Valeriy Pekar**, Lecturer of Kyiv-Mohyla Business School.

**Kostyantyn Sigov**, philosopher, civic activist, Chair of the Center of the European Humanitarian Studies at the National University of the Kyiv-Mohyla Academy.

**Hennadiy Buryak**, Deputy Director of the National Institute of the History of Ukraine.

**Oleksandr Skipalsky**, Lieutenant General, Honorary President of the Veterans Society of the Intelligence Community.

**Anatoliy Podolsky**, Director of the Ukrainian Center of the Holocaust Studies.

**Ukrainian Crisis Media Center.**

# The Washington Post

*Democracy Dies in Darkness*

## Hunt for Biden tapes in Ukraine by Trump allies revives prospect of foreign interference

By **Paul Sonne**, **Rosalind S. Helder**, **Josh Dawsey** and **David L. Stern**

July 1, 2020 at 7:02 p.m. EDT

President Trump’s allies were in pursuit of a tantalizing prospect last year: tape recordings of Joe Biden speaking to Ukrainian officials while he was vice president, conversations they believed could help them damage Biden’s current bid for the White House.

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The previously undisclosed hunt for tapes of Biden and other recordings in Ukraine, described by several people who were involved, came as the president’s personal attorney, Rudolph W. Giuliani, was casting a wide net for material to undermine Trump’s political rival — a scheme that ultimately helped set in motion the president’s impeachment.

“We would have loved to get the recordings, but we never did,” Giuliani said in a recent interview.

AD

Now, with just four months to go before Election Day, that material is surfacing in Ukraine and being touted by some of the president's backers in the United States, including his eldest son in May.

Last week, a Ukrainian lawmaker who was once affiliated with a pro-Russian political party and has met with Giuliani released 10 edited snippets of what appeared to be Biden's official vice presidential phone calls in 2016 with Petro Poroshenko, then the president of Ukraine. It was the second cache of recordings the lawmaker, who studied under the KGB in Moscow in the early 1990s, has released since May.

The recordings show that Biden, as he has previously said publicly, linked loan guarantees for Ukraine to the ouster of the country's prosecutor general. The tapes do not provide evidence to back Giuliani's long-standing accusation that Biden sought to have him fired to block an investigation of a gas company that had hired his son Hunter.

AD

The authenticity of the audio files, which appear heavily edited, could not be verified. The Ukrainian government is investigating how they were obtained. Biden's campaign has said they are part of an effort to concoct conspiracy theories to smear him. Poroshenko has gone further and called them fake.

Still, the material was quickly seized upon by One America News, a favorite network of the president that has featured pro-Trump conspiracy theories and in June debuted the first installment of what it said will be a series of reports featuring recordings of Biden.

Both Giuliani and Lev Parnas, a Ukrainian American businessman who served as his fixer in Ukraine, confirmed that they sought tapes of Biden last year. Giuliani said he received assistance in his pursuit from a source within the State Department, who he claimed pointed him to the dates of certain conversations between Biden and Poroshenko by accessing an official U.S. government archive.

AD

Giuliani told The Washington Post that he did not know the recently released recordings were coming before they were posted online in May. But in a recent interview with OAN, the former New York mayor claimed to be aware of other tapes that were “far more damaging,” saying, “I would hope that those tapes are put out also.”

On their own, the audio snippets that have been released do not significantly change what was already known about Biden’s diplomacy toward Ukraine, where he led a U.S. and European effort to back Poroshenko’s pro-Western government in the face of a Russian invasion and destabilization campaign. And other than from OAN, they have received little attention.

But the efforts to promote the recordings in Ukraine and the United States — and pledges by other Trump allies to release more in the coming months — suggest a new push by foreign forces to sway American voters in the run-up to the 2020 election, one welcomed by the president’s personal lawyer.

The developments further illustrate Trump’s willingness to benefit from foreign intervention in U.S. elections, even after being impeached on charges of pressuring Ukraine to launch investigations into his political rivals. In an interview last year, the president said that if a foreign country called offering information on his opponent, “I think I’d want to hear it.” His former national security adviser John Bolton alleges in a newly released book that Trump last year asked the Chinese president to help him win reelection. The White House has denied Bolton’s account.

AD

Tim Murtaugh, a spokesman for the Trump campaign, declined to comment on the Ukraine tapes. The campaign has so far not focused on the recordings in its attacks on Biden.

Andrew Bates, a spokesman for Biden's campaign, said, "All the president's men, both within our country and outside of it, have been constantly trafficking in objectively false, malicious conspiracy theories targeting Joe Biden since before he even entered the race. And their efforts have invariably fallen apart — because the American people know Joe Biden, his character and his values."

Giuliani has been interacting on and off with the Ukrainian lawmaker who has been releasing the clips, Andrii Derkach, since meeting him in Kyiv in December, the former New York mayor told The Post. In an interview, Giuliani described the former member of Ukraine's Russian-leaning Party of Regions as "very helpful" and said that they talked many times about Ukraine.

AD

Derkach, who is the son of a former KGB officer and says in his official biography that he attended the now-renamed Higher School of the KGB in Moscow, also appeared on Giuliani's podcast in New York in February. Since then, Derkach has said his U.S. visa was revoked.

Giuliani, who has worked as Trump's unpaid personal attorney since 2018 and was recently tapped by the president to negotiate with the presidential debate commission, said he would be concerned if Derkach had obtained the tapes from the Russians.

But, Giuliani said, the lawmaker "doesn't seem pro-Russian to me."

Asked about Derkach's background, Giuliani said: "I don't depend on his credibility. I depend on the credibility of his documents."

AD

Derkach declined to be interviewed. In a statement, he said allegations that he is working in the interests of foreign intelligence services are attempts to pressure him into stopping his activity. “There is not a single confirmed or reliable fact of my illegal activity or wrongful connections,” he said.

Asked whether he discussed the tapes with Giuliani during their meetings, Derkach did not answer directly. “We discussed available information on international corruption and the need to investigate it in the United States,” he said.

## Foreign interference redux

The hunt by the president’s allies for the Biden tapes and their subsequent release have echoes of the 2016 campaign, when Trump publicly asked Russia to find emails of his Democratic rival Hillary Clinton. Trump later said the comment was a joke, even as GOP operatives mounted a serious but unsuccessful operation to obtain her emails from hackers claiming to have them.

AD

Democratic emails stolen by Russian intelligence officers were ultimately released through WikiLeaks, as special counsel Robert S. Mueller III detailed in his report.

The sequence of events sparked a nearly two-year investigation, multiple congressional inquiries and federal charges against 12 Russian military intelligence officers.

U.S. intelligence officials have warned that Russia could reprise its 2016 efforts to influence the race for the White House in 2020.

In January, the Ukrainian gas company whose board used to include Biden's son said that it had been hacked by Russian spies, raising fears the Kremlin could be intending to release stolen material to sway U.S. voters in coming months.

AD

Giuliani said he would welcome new material about Biden in Ukraine, but he said he wasn't aggressively seeking it, as he had been last year. Any new revelations, he added, should not be dismissed even if Russia may be involved.

"The strange thing is what the Russians put out last time — it may have been illegal how they obtained it, but it was all true," Giuliani said.

Michael Carpenter, a Biden foreign policy adviser and former senior Defense

Department official, called the tape snippets that Donkirk is releasing "a KGB style

Department official, called the tape snippets that Derkach is releasing a KGB-style disinformation operation tied to pro-Russian forces in Ukraine whose chief aim is to make deceptive noise in the U.S. election campaign to advance the interests of their oligarchic backers, the Kremlin, and the faltering Trump campaign.”

Ukrainians with a variety of competing political and personal agendas have claimed to be releasing or publicizing the Biden tapes, moves critics say align with both Russia’s and Trump’s interests.

In addition to Derkach, they include former Ukrainian prosecutor Kostiantyn Kulyk, former Ukrainian diplomat Andrii Telizhenko and Ukrainian gas tycoon and former lawmaker Oleksandr Onyshchenko, who all have interacted with Giuliani or his associates. Some have promised more leaks are coming to help Trump later in the year.

“This summer, there will be more release of conversations, with full transcripts,” said Telizhenko, who said he speaks regularly with Giuliani in between aiding various Ukrainian tycoons, some of them with Russian interests. Telizhenko said he is working independently from Derkach, noting: “I’m going to release everything all together when the time is right.”

Onyshchenko told The Post that the tapes that have been released are his, part of a cache he said he obtained from Poroshenko aides.

He told the Russian state news service Sputnik in late May that his lawyers and Giuliani’s team had “exchanged hundreds of emails,” and that he has handed over materials about Biden, which he said Trump’s allies will make use of in the fall.

“Because of the coronavirus, they are waiting,” Onyshchenko told Sputnik. “But in September, closer to the elections, they will begin to use them more.” He told The Post the materials were being given to the Republican-led Senate Homeland

Security Committee, which is pursuing an inquiry into Biden’s activities in Ukraine.

Security Committee, which is pursuing an inquiry into Biden's activities in Ukraine.

A spokesman for the committee did not respond to a question about whether the panel has received such tapes or plans to use them.

Like Derkach, Onyshchenko is a former member of the now-defunct Party of Regions, a pro-Russian political party in Ukraine. He has been waging a multiyear campaign against Poroshenko since fleeing Ukraine on corruption charges he says are fabricated.

Onyshchenko has said that he has tried to tell U.S. authorities about his corruption accusations against Poroshenko various times. Poroshenko references - Onyshchenko twice in the leaked calls with Biden, telling the vice president that the exiled lawmaker holds a Russian passport and is working in Russia's interests to destabilize Ukraine. Biden appears in one snippet to reassure Poroshenko that the FBI is not working with Onyshchenko.

When asked for comment on Poroshenko's accusation that he's advancing Russian interests, Onyshchenko said the former Ukrainian leader accuses everyone who is against him of doing the Kremlin's bidding. Onyshchenko said he is speaking out because the former Ukrainian president "destroyed my life."

While the recordings released in Ukraine have received little attention in most mainstream U.S. news outlets, they are being heavily promoted by One America News, which has more than 700,000 followers on Facebook and some 900,000 on Twitter.

Carpenter, the Biden adviser, has accused OAN of being "the preferred conduit for Kremlin disinformation in the 2020 cycle."

One of its correspondents, Chanel Rion, traveled around Europe last year with

Carpenter to film Ukrainians who made accusations against Biden, many of them

Giuliani to him Ukrainians who made accusations against Biden, many of them unproven or spurious.

In a program that aired last month, Rion said she had received 10 hours of recordings related to Biden from the “Ukrainian secret service” and “a source who was present during some of those recordings.” She said she would be pursuing the story “well past the summer and into the fall.”

The Department of the State Guard, Ukraine’s version of the Secret Service, said in a statement that it “does not make any recordings and has never recorded any conversations of the state guarded public officials.”

An OAN spokeswoman did not respond to a request for comment. In its stories, the network has suggested that accusations that Russia is promoting the allegations against Biden are efforts to distract from the story.

## 'We knew about these tapes'

Biden made five trips to Ukraine during the last three years of the Obama administration and held at least 70 phone calls with Ukrainian leaders, as The Post previously reported. Most of his calls were with Poroshenko in an effort to shore up the fledgling pro-Western government against Russia.

The recently released recordings, which Derkach has said he obtained from “investigative journalists,” appear to feature conversations the two men had at the time. But if they are authentic, it is unclear who made them.

It is possible Poroshenko aides taped the calls he had with Biden. Russian intelligence agencies have intercepted the phone calls of U.S. officials in Ukraine in

intelligence agencies have intercepted the phone calls of U.S. officials in Ukraine in the past.

In an interview in May, Parnas said he and his colleague Igor Fruman were told by sources in Ukraine of the Biden-Poroshenko recordings, along with a number of other recordings Ukrainians claimed existed of Americans, including embassy officials in Kyiv.

“We knew about these tapes,” Parnas said.

Parnas and Fruman were arrested in October and charged with making illegal campaign contributions, including from foreign sources, to Republican candidates and political action committees. They both pleaded not guilty and are awaiting trial.

After his arrest, Parnas turned on Giuliani and Trump, saying the president had blessed their endeavors in Ukraine. The White House has dismissed his claims as false.

Parnas told The Post that he and Fruman discussed the recordings with then-Ukrainian Prosecutor General Yuri Lutsenko and Kulyk, a former Ukrainian prosecutor who has been working with Derkach and appearing alongside him at news conferences releasing the recordings.

In a statement, Lutsenko said he “never discussed, provided or promised to provide any recordings to Giuliani or his colleagues.” Kulyk declined to answer directly, dismissing the question as lacking credibility.

Parnas said that at one point during a trip to Kyiv in spring 2019, he anticipated being provided copies of some of the recordings to bring back to the United States. But, he said, Ukrainian officials did not ultimately hand them over at the time.

After the trip, Parnas said, he and Fruman discussed the elusive recordings with Giuliani at strategy sessions they held at the BLT restaurant at the Trump International Hotel in Washington.

Victoria Toensing, a conservative lawyer who attended some of those sessions, said she did not recall the discussions but did not dispute that Parnas may have told the group about tapes.

“Lev is a fast talker,” she said. “He was always telling us, ‘There is Biden stuff.’ It would go in one ear and out the other.”

Giuliani was particularly interested in obtaining tapes of calls that Biden made to Poroshenko in early 2016 to feed his claims that the former vice president used his office to protect the business interests of his son Hunter, according to Parnas.

Giuliani has asserted without evidence that Biden pushed for Ukraine’s prosecutor general to be fired because Hunter Biden was serving on the board of Burisma, a Ukrainian gas company owned by a former government minister whom Ukrainian authorities were investigating.

In fact, at the time, Biden was serving as the lead voice in a coalition of U.S. and European officials, including top Republicans, who were sharply critical of the prosecutor general’s office for failing to go after high-level corruption cases and thwarting the probe of an episode in which lower-ranking officials were found with diamonds and cash thought to be bribes.

Among the cases that the United States argued had not received enough attention: an inquiry into the owner of Burisma.

In late 2015, Biden delivered a blunt message to Poroshenko: Unless the prosecutor’s office got a new leader, a \$1 billion loan guarantee for the Ukrainian

government wouldn't be forthcoming. The prosecutor general agreed to resign.

In the recordings that Derkach released, Biden can be heard urging Poroshenko to fire the prosecutor general. At one point, Poroshenko defends the top prosecutor, saying there was "no information" he had done anything wrong, but said he asked for the prosecutor's resignation as part of his promise to the U.S. vice president.

In an interview with CNN's Fareed Zakaria last month, Poroshenko said that Biden never brought up Burisma in their many conversations. "My absolutely clear answer: No, never," Poroshenko said.

Ruslan Ryaboshapka, who served as Ukraine's prosecutor general until March, conducted a full audit of all the criminal cases in Ukraine involving the company and told The Post he found no evidence of illegal acts by Biden or his son.

Giuliani told The Post that his pursuit of the Biden-Poroshenko calls was aided by someone inside the State Department.

"A guy at the State Department who gave us a lot of information" consulted the archive of conversations between American leaders and their counterparts overseas to identify three conversations in February 2016 during which Biden mentioned the prosecutor general's name in conversations with Poroshenko, he said.

"He didn't show it to us but told us they existed," Giuliani said of the State Department official. "He said, 'I guarantee there are three conversations on February 15, 17 . . . one of them is quite lengthy. It's between Biden and Poroshenko. There are transcripts of them, but they are classified.'"

Giuliani declined to name the State Department official. A spokeswoman for the

State Department did not respond to requests for comment.

Giuliani said last year that he regularly kept the president abreast of his efforts in Ukraine, but it is unclear whether Trump knew about the hunt for the tapes.

When pressed in May if he specifically mentioned the recordings to the president, Giuliani declined to comment.

The White House did not respond to a request for comment on whether Trump knew his lawyer was seeking tapes of Biden in Ukraine.

But one witness during the House impeachment hearings said that Trump made an allusion to tapes of the former vice president.

Lt. Col. Alexander Vindman, a Ukraine expert who served on the National Security Council, testified that he heard Trump refer to recordings of Biden during his July 25, 2019, phone call with Ukrainian President Volodymyr Zelensky, the conversation that set in motion the impeachment investigation.

According to a rough transcript of the call released by the White House, Trump told Zelensky: “Biden went around bragging that he stopped the prosecution, so if you can look into it.”

Vindman testified that his own notes, which he took while listening to the call, show that Trump added, “There are recordings.”

That phrase was not included in the call’s official transcript. Vindman testified that he notified his superiors of the omission when the transcript was circulated internally for review, but that no changes were made.

Vindman was uncertain what Trump meant by “recordings,” his lawyer said recently.

At the time, his description of Trump's mention of "recordings" on the call was widely assumed to be a reference to the tape of a public speech Biden delivered in 2018 bragging that he had held up loan guarantees to Ukraine until the prosecutor general was fired.

*Tom Hamburger contributed to this report. Stern reported from Kyiv.*

## Election 2020: What to know

Updated July 19, 2020

Presumptive Democratic nominee Joe Biden has a double-digit lead over President Trump in the latest Washington Post-ABC News poll, and the election seems like it will be a referendum on Trump. The president faces rising disapproval and widespread distrust on his handling of the coronavirus pandemic.

Trump's attacks on mail voting are turning Republicans off absentee ballots. Rules on voting changed quickly in many states for the primaries, but the battle for how Americans will vote in the general election is just heating up. Barring a landslide, we may not have a result in the presidential election on Nov. 3. See what elections are coming up and which have moved.

Who do you think Joe Biden's VP pick should be?

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United States Senate  
WASHINGTON, DC 20510

February 12, 2016

H.E. Petro Poroshenko  
President of Ukraine  
Presidential Administration of Ukraine  
11 Bankova Street  
Kyiv, Ukraine 01220

Dear President Poroshenko,

As members of the U.S. Senate Ukraine Caucus and strong supporters of your government, we write to express our concern regarding the recent resignation of Minister of Economy Aivaras Abromavičius and his allegations of persistent corruption in the Ukrainian political system.

During the past year, Mr. Abromavičius and his team implemented tough but necessary economic reforms, worked to combat endemic corruption, and promoted more openness and transparency in government. He was known to many of us as a respected reformer and supporter of the Ukrainian cause. Minister Abromavičius's allegations raise concerns about the enormous challenges that remain in your efforts to reform the corrupt system you inherited.

We recognize that your governing coalition faces not only endemic corruption left from decades of mismanagement and cronyism, but also an illegal armed seizure of territory by Russia and its proxies. Tackling such obstacles to reforms amidst a war and the loss of much of southeastern Ukraine's economic productivity is a formidable challenge -- one which we remain committed to helping you overcome.

Succeeding in these reforms will show Russian President Vladimir Putin that an independent, transparent, and democratic Ukraine can and will succeed. It also offers a stark alternative to the authoritarianism and oligarchic cronyism prevalent in Russia. As such, we respectfully ask that you address the serious concerns raised by Minister Abromavičius. We similarly urge you to press ahead with urgent reforms to the Prosecutor General's office and judiciary. The unanimous adoption by the Cabinet of Ministers of the Basic Principles and Action Plan is a good step.

We very much appreciate your leadership and commitment to reform since the Ukrainian people demonstrated their resolve on the Maidan two years ago, and we look forward to continued cooperation in the future.

Sincerely,

*Rob Portman*

Senator Rob Portman

*Dick Durbin* *Jeanne Shaheen*

Senator Richard J. Durbin

Senator Jeanne Shaheen

*Ron Johnson*

Senator Ron Johnson

*Chris Murphy* *Mark Kirk*

Senator Chris Murphy

Senator Mark Kirk

*Richard Blumenthal*

Senator Richard Blumenthal

*Sherrod Brown*

Senator Sherrod Brown



# GOP senator says he doesn't remember signing 2016 letter urging 'reform' of Ukraine prosecutor's office

BY ZACK BUDRYK - 10/03/19 06:00 PM EDT

## Just In...

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SENATE — 9M AGO

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OPINION — 9M 22S AGO

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**Coronavirus Report: The Hill's Steve Clemons interviews Kathleen Sebelius**

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ENERGY & ENVIRONMENT  
— 20M 24S AGO

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Sen. Ron Johnson (R-Wis.) told reporters Thursday he did not recall signing a letter urging reforms in the office of the Ukrainian prosecutor President Trump has alleged former Vice President Joe Biden improperly had ousted, [The Milwaukee Journal-Sentinel](#) reported.

Trump has repeatedly alleged Biden used his office to have Prosecutor General Viktor Shokin fired and prevent him from investigating a gas company whose board included Biden's son Hunter.

CNN on Thursday reported that three Republican senators, including Johnson, Sen. Rob Portman (R-Ohio) and then-Sen. Mark Kirk (R-Ill.) [signed a 2016 letter](#) urging "urgent reforms to the Prosecutor General's office and Judiciary."

"I send out all kinds of oversight letters ... I don't know which 2016 oversight letter you're referring to so I will look at that and then we'll issue a press release, statement, or something — but I don't engage in hypocrisy. I'm looking at getting the truth," Johnson said when asked about the letter.

Johnson did acknowledge the letter in an interview Thursday on WIBA's "The Vicki McKenna Show," saying "The whole world, by the way, including the Ukrainian caucus, which I signed the letter, the whole world felt that

### Congressional Democrats request FBI briefing on foreign election interference efforts

CYBERSECURITY — 30M 58S AGO

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this that Sholkin wasn't doing a [good] enough job. So we were saying hey you've ... got to rid yourself of corruption."

In the first interview, Johnson also said there was no misconduct in Trump's call on Thursday for China to investigate Biden and his son.

"If there's potential criminal activity, the President of the United States is our chief law enforcement officer. We have proper agreements with countries to investigate potential crimes so I don't think there's anything improper about doing that," he said.

Even as he endorsed investigations by both China and Ukrainian officials, Johnson denied the July 25 call between Trump and Ukrainian President Volodymyr Zelensky at the heart of a whistleblower complaint represented Trump pressuring Zelensky to investigate the Bidens.

"I look at that transcript and I go, it's Trump being Trump," Johnson said, according to the Journal-Sentinel.

In a statement, Andrew Bates, rapid response director for the Biden campaign, told The Hill: "The United States, the European Union, the I.M.F., and Ukraine's leading reform figures were all pressing for Viktor Shokin to be removed from office because he was one of the biggest obstacles to fighting corruption in the entire country. This was a bipartisan goal in Congress as well."

"It is unfortunate that Senator Johnson seems to have forgotten a time when he put the country's values over his own politics, but perhaps re-reading his well-articulated words whole-heartedly agreeing with Joe Biden's push to move the anti-corruption cause in Ukraine forward will help him on his journey back to intellectual consistency," Bates added.

Updated: 9:35 p.m.

TAGS DONALD TRUMP RON JOHNSON ROB PORTMAN JOE BIDEN MARK KIRK

SHARE TWEET



# United States Senate

WASHINGTON, DC 20510

December 17, 2019

The Honorable Lindsey O. Graham  
Chairman  
Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Ron Johnson  
Chairman  
Committee on Homeland Security and  
Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Charles E. Grassley  
Chairman  
Committee on Finance  
United States Senate  
219 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairs Graham, Grassley and Johnson:

You have stated your intent to investigate purported Ukrainian interference in the 2016 election and Vice President Joe Biden – the same investigations that President Trump pressed the Ukrainian government to announce that it would pursue.

Allegations of Ukrainian interference in the 2016 election are part of a Russian disinformation campaign. Dr. Fiona Hill, the former head of Russia and Ukraine policy for the National Security Council and formerly the top analyst for Russia at the National Intelligence Council, testified to Congress, with regard to these allegations: “This is a fictional narrative that is being perpetrated and propagated by the Russian security services themselves.” And Assistant Secretary of State George Kent testified that there is no evidence “whatsoever” of wrongdoing by Vice President Biden. Consequently, we do not see a basis for an investigation by three major Senate Committees into these discredited allegations and believe that doing so could advance the Russian disinformation and election interference efforts. We should not facilitate foreign interference in our 2020 election.

Should you chose to continue this effort, we ask, consistent with Senate Rule 26, that you provide us with any evidence that you have that supports the investigation.

Sincerely,



Dianne Feinstein  
Ranking Member  
Committee on the Judiciary



Gary C. Peters  
Ranking Member  
Committee on Homeland Security  
and Governmental Affairs



Ron Wyden  
Ranking Member  
Committee on Finance

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JACKY ROSEN, NEVADA

# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR  
DAVID M. WEINBERG, MINORITY STAFF DIRECTOR

February 27, 2020

The Honorable Ron Johnson  
Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, DC 20510

Dear Chairman Johnson:

On February 24, 2020, you notified me of your intent to issue a subpoena to Andrii Telizhenko for attendance and the production of records.<sup>1</sup>

I warned when this investigation began that “[w]e should not facilitate foreign interference in our 2020 election.”<sup>2</sup> I remain concerned that the United States Senate and this Committee could be used to further disinformation efforts by Russian or other actors. Because these efforts pose a threat to our national security, I have asked for the Committee to receive defensive briefings – specifically regarding Mr. Telizhenko – from relevant intelligence community and law enforcement officials, to ensure the Senate is not used to advance any disinformation campaigns.

Given the significant national security concerns related to this request, it should be subject to a Committee vote. Pursuant to Rule 5(C) of the Rules of Procedure of the Committee on Homeland Security and Governmental Affairs, I disapprove of the issuance of the subpoena.

Sincerely,



Gary C. Peters  
Ranking Member  
Committee on Homeland Security  
and Governmental Affairs

<sup>1</sup>Letter from Sen. Ron Johnson, Chairman, S. Comm. on Homeland Security and Governmental Affairs to Sen. Gary C. Peters, Ranking Member, S. Comm. on Homeland Security and Governmental Affairs (February 24, 2020).

<sup>2</sup>Letter from Sen. Gary C. Peters, Ranking Member, S. Comm. on Homeland Security and Governmental Affairs, Sen. Diane Feinstein, Ranking Member, S. Comm. on the Judiciary, and Sen. Ron Wyden, Ranking Member, S. Comm. on Finance to Sen. Ron Johnson, Chairman, S. Comm. on Homeland Security and Governmental Affairs, Sen. Lindsey Graham, Chairman, S. Comm. on the Judiciary, and Sen. Charles Grassley, Chairman, S. Comm. on Finance (December 17, 2019).

RON JOHNSON, WISCONSIN, CHAIRMAN

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KYRSTEN SINEMA, ARIZONA  
JACKY ROSEN, NEVADA

# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR  
DAVID M. WEINBERG, MINORITY STAFF DIRECTOR

March 17, 2020

The Honorable Ron Johnson  
Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, DC 20510

Dear Chairman Johnson:

On March 12, 2020, you notified me of your intent to issue a subpoena to Blue Star Strategies. Pursuant to Rule 5(C) of the Rules of Procedure of the Committee on Homeland Security and Governmental Affairs, I disapprove.

The subpoena request is inappropriate for a number of reasons: you have not fully pursued voluntary production of these records; you have not scheduled the intelligence briefings you agreed to; you risk continuing to amplify foreign election interference efforts; and your own public comments acknowledge that your investigation is at least partially targeted at influencing voters, "if I were a Democrat primary voter, I'd want these questions satisfactorily answered before I cast my final vote."<sup>1</sup>

I would disapprove of the subpoena under ordinary circumstances. But these are not ordinary circumstances. A day after you sent the subpoena notice, the President declared a national emergency for the COVID-19 pandemic. This is an unprecedented crisis, and it requires an all hands response. This is a misuse of Committee resources, especially at a time when we must focus on work that advances the health, safety, and economic security of Americans consistent with our Committee's mission. Your subpoena request does not advance that work.

Sincerely,



Gary C. Peters  
Ranking Member  
Committee on Homeland Security  
and Governmental Affairs

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<sup>1</sup> *Republicans lean into Biden probe as he surges in Democratic primary*, Politico (March 4, 2020) (<https://www.politico.com/news/2020/03/04/joe-biden-probe-2020-election-120924>).

# United States Senate

WASHINGTON, DC 20510

July 16, 2020

The Honorable Ron Johnson  
Chairman  
Senate Committee on Homeland Security  
and Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Chuck Grassley  
Chairman  
Senate Committee on Finance  
219 Dirksen Senate Office Building  
Washington, DC 20510

Chairmen Johnson and Grassley,

We reiterate our request for a briefing for Members of our Committees from the Federal Bureau of Investigation's Foreign Influence Task Force and relevant Intelligence Community members related to your ongoing investigation. Two weeks ago, the *Washington Post* reported that "a Ukrainian lawmaker who was once affiliated with a pro-Russian political party and has met with [Rudy] Giuliani released 10 edited snippets of what appeared to be [Joe] Biden's official vice presidential phone calls in 2016 with Petro Poroshenko." The *Post* reported that this lawmaker "studied under the KGB in Moscow in the early 1990s" and that these efforts "suggest a new push by foreign forces to sway American voters in the run-up to the 2020 election."<sup>1</sup>

Our staff requested this briefing in December 2019. Ranking Member Peters then requested a Member briefing after a classified staff briefing led to the cancellation of a Committee on Homeland Security and Governmental Affairs (HSGAC) vote to subpoena Andrii Telizhenko. Ranking Member Peters then made a motion asking for this briefing at the HSGAC May 20, 2020, business meeting before a vote authorizing a subpoena for some of the same information Chairman Johnson first sought from the canceled Telizhenko subpoena vote.

As Committees charged with safeguarding our homeland security and financial systems, we have a responsibility to fully understand the national security and counterintelligence implications of foreign election interference and your ongoing investigative work. We ask that you please formally request, schedule, and prioritize this briefing for the Members of our Committees as soon as possible.

Sincerely,



Gary C. Peters  
Ranking Member  
Senate Committee on Homeland Security  
and Governmental Affairs



Ron Wyden  
Ranking Member  
Senate Committee on Finance

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<sup>1</sup> Paul Sonne et al., *Hunt for Biden tapes in Ukraine by Trump allies revives prospect of foreign interference*, THE WASHINGTON POST (July 1, 2020), [https://www.washingtonpost.com/national-security/for-months-trump-allies-hunted-for-tapes-of-biden-in-ukraine-now-theyre-turning-up/2020/06/30/f3acaba8-a67b-11ea-8681-7d471bf20207\\_story.html](https://www.washingtonpost.com/national-security/for-months-trump-allies-hunted-for-tapes-of-biden-in-ukraine-now-theyre-turning-up/2020/06/30/f3acaba8-a67b-11ea-8681-7d471bf20207_story.html).

## Unified Zentos Transcript Errata

- HSGAC Majority

Page	Line	Correction
93	13	Strike “Sorry”
156	20	Strike “Brian” and replace with “Ms. Zentos”

- Finance Majority

Page	Line	Correction
█		██
93	18	Strike “Sorry.”
93	21	Strike “,” after Burisma and insert “while” such that it reads “board of Burisma while his father was the public face of the”
156	16	Strike “Brian” and insert “your client”
157	16	Check tape. Strike “that” “to the” “views” “to” “form” and insert “the” “that” “used” “to “form” such that it reads “to the information that the Government used to form the”

- HSGAC Minority
  - Pending

- Finance Minority

Page	Line	Correction
9	13	"We will" should read "I will"

- Counsel

Page	Line	Correction
13	12	should read “committee”
18	7	should read "political-military and external"
23	18	should insert a quotation mark before “the potential...” – Committees were examining “the potential conflicts of
23	24	“Government” should be “government”
23	24	should insert a quotation mark after the period ( <i>i.e.</i> , agencies.”) should read “and potentially influence of U.S. government agencies.”
29	20-21	replace “[inaudible-audio difficulties]” with “have been set forth”
33	18	replace “[inaudible-audio difficulties]” with “Burisma”

38	16	should read "in <b>all</b> the years I worked for the Department of State <b>or</b> USG"
40	7	should read "She's <b>been</b> asked and answered this question"
40	12	should read "She has <b>been</b> asked and answered this question"
59	22	should read, "...of U.S. assistance <b>in Europe.</b> "
60	13	should read "political-military"
65	8	should be "political-military"
65	11	should be "...political-military and defense relationship..."
68	19	should be spelled "Yanukovych"
78	17	should read "...to <b>note</b> that I read..."
81	21	should read "...that <b>was</b> corrupt"
89	17	should read "Director of <b>Eastern Europe</b> "
136	1	should read "—in the main, it's just not <b>pertinent.</b> But"
140	10	should read "she is entitled to protect <b>here</b> "
141	5	should read "Amendment <b>to</b> the Constitution"
142	6	replace "MPAC" with "Emspak"
231	17	delete "your"