



United States Department of State

Washington, D.C. 20520

November 22, 2019

Case No. F-2019-06332

Segment: S/ES-S0001

S/ES-S0002

IPS - 0003

Melanie Sloan
American Oversight
1030 15th Street NW, B255
Washington, DC 20005

Dear Ms. Sloan:

This is in response to your request dated May 21, 2019, under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. Thus far, the Department has located 22 documents responsive to your request. Upon review, we have determined 9 documents may be released in full and 13 documents may be released in part. The processing of your request is ongoing.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable FOIA exemptions are marked on each document. All non-exempt material that is reasonably segregable from the exempt material has been released and is enclosed.

We will keep you informed as your case progresses. If you have any questions, your attorney may contact Joshua C. Abbuhl, Trial Attorney at joshua.abbuhl@usdoj.gov; 202-616-8366. Please refer to the case number, F-2019-06332, and the civil action number, 19-cv-02934, in all correspondence about this request.

Sincerely,

Susan C. Weetman
Deputy Director
Office of Information Programs and Services

Enclosures: As stated.

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:

- 1.4(a) Military plans, systems, or operations
- 1.4(b) Foreign government information
- 1.4(c) Intelligence activities, sources or methods, or cryptology
- 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
- 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
- 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
- 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
- 1.4(h) Weapons of mass destruction

- (b)(2) Related solely to the internal personnel rules and practices of an agency

- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:

ARMSEXP	Arms Export Control Act, 50a USC 2411(c)
CIA PERS/ORG	Central Intelligence Agency Act of 1949, 50 USC 403(g)
EXPORT CONTROL	Export Administration Act of 1979, 50 USC App. Sec. 2411(c)
FS ACT	Foreign Service Act of 1980, 22 USC 4004
INA	Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f)
IRAN	Iran Claims Settlement Act, Public Law 99-99, Sec. 505

- (b)(4) Trade secrets and confidential commercial or financial information

- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product

- (b)(6) Personal privacy information

- (b)(7) Law enforcement information whose disclosure would:

- (A) interfere with enforcement proceedings
- (B) deprive a person of a fair trial
- (C) constitute an unwarranted invasion of personal privacy
- (D) disclose confidential sources
- (E) disclose investigation techniques
- (F) endanger life or physical safety of an individual

- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions

- (b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester

NO DISCERNIBLE CLASSIFICATION

From: John Herbst [REDACTED] **B6**
Sent: Monday, April 08, 2019 12:39 PM
To: Hale, David
Cc: rpopadiuk [REDACTED]; spifer [REDACTED]; pascualce [REDACTED]; wtaylor [REDACTED]
John and Mariella Tefft [REDACTED]
Subject: For Your Consideration
Attachments: Letter to Under Secretary Hale.pdf

RELEASE IN
PART B6

[REDACTED] NO DISCERNIBLE CLASSIFICATION

1

John Herbst | Director, Eurasia Center

B6

RELEASE IN PART
B6

Ambassador (Ret.)

1030 15th Street, NW, 12th Floor | Washington, DC 20005

T: | Cell: | Email:

www.facebook.com/AtlanticCouncil | [@JohnEdHerbst](https://twitter.com/JohnEdHerbst) | www.AtlanticCouncil.org

NO DISCERNIBLE CLASSIFICATION

B6

[REDACTED]

From: Hale, David
Sent: Monday, April 08, 2019 12:44 PM
To: Brechbuhl, Thomas U
Cc: Reeker, Philip T; [REDACTED]
Subject: Fwd: For Your Consideration
Attachments: image003.jpg; ATT00001.htm; Letter to Under Secretary Hale.pdf; ATT00002.htm

RELEASE IN PART
B6

FYI

Sent from my iPhone

Begin forwarded message:

From: John Herbst [REDACTED]
Date: April 8, 2019 at 12:38:39 PM EDT
To: "haledm" [REDACTED]
Cc: "rpopadiuk" [REDACTED], "spifer" [REDACTED]
"pascualce" [REDACTED], "wtaylor" [REDACTED], John and
Mariella Tefft [REDACTED]
Subject: For Your Consideration

Dear David,

Attached is a letter signed by five of our colleagues and myself regarding the ungrounded attack by the Ukrainian Prosecutor General on our Embassy in Kyiv and Ambassador Yovanovitch. This attack was in fact prompted by the Ambassador and Embassy's strong advocacy of Washington policy on reform issues. Thank you for our attention to this this.

If you have any questions and would like further information, we are at your disposal.

Best,
John

NO DISCERNIBLE CLASSIFICATION

1

NO DISCERNIBLE CLASSIFICATION

From: Reeker, Philip T
Sent: Monday, April 08, 2019 7:37 PM
To: Brechbuhl, Thomas U
Subject: Fw: Six former Ambassadors to Ukraine sign letter of support to P and C
Attachments: Letter to Under Secretary Hale.pdf

RELEASE IN PART
B5, B6

Ulrich,
Thanks for meeting this afternoon.

B5

I'm reachable over this period in Stuttgart, Brussels, Ramstein, and Berlin.

B6

Best, Phil

Sent from my BlackBerry 10 smartphone.

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If you have any questions and would like further information, we are at your disposal.

Best,

John Herbst

Official

UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846009 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

NO DISCERNIBLE CLASSIFICATION

2

B6

NO DISCERNIBLE CLASSIFICATION

RELEASE IN
PART B6

B6

[REDACTED]

From: John Herbst [REDACTED]
Sent: Tuesday, April 09, 2019 3:16 AM
To: Brechbuhl, Thomas U
Cc: [REDACTED]
Subject: Fwd: For Your Consideration
Attachments: image003.jpg; ATT00001.htm; Letter to Under Secretary Hale.pdf; ATT00002.htm

NO DISCERNIBLE CLASSIFICATION

1

AMERICAN
OVERSIGHT

RELEASE IN PART
B6



Atlantic Council

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845998 Date: 11/22/2019

John Herbst | Director, Eurasia Center

Ambassador (Ret.)

B6

1030 15th Street, NW, 12th Floor | Washington, DC 20005

T: | Cell: | Email:

www.facebook.com/AtlanticCouncil | [@JohnEdHerbst](https://twitter.com/JohnEdHerbst) |
www.AtlanticCouncil.org

NO DISCERNIBLE CLASSIFICATION

From: Hale, David
Sent: Monday, April 15, 2019 10:54 AM
To: [REDACTED]
Subject: FW: For Your Consideration
Attachments: Letter to Under Secretary Hale.pdf

RELEASE IN PART
 B6

B6

Not sure what to do with this

From: John Herbst
Sent: Monday, April 8, 2019 12:39 PM
To: Hale, David
Cc: rpopadiuk [REDACTED]; spifer [REDACTED]; pascualce [REDACTED]; wtaylor [REDACTED]; John and Mariella Tefft;
Subject: For Your Consideration

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Best,
 John



Atlantic Council

John Herbst | Director, Eurasia Center
 Ambassador (Ret.)

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T: [REDACTED] | Cell: [REDACTED] Email: [REDACTED]

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NO DISCERNIBLE CLASSIFICATION

1

AMERICAN
 OVERSIGHT

NO DISCERNIBLE CLASSIFICATION

From: Brechbuhl, Thomas U
Sent: Tuesday, April 09, 2019 11:59 PM
To: John Herbst
Cc: [REDACTED]
Subject: Re: For Your Consideration

RELEASE IN PART B6

B6

Thank you for your concern and offer. It's much appreciated.

Ulrich

T. Ulrich Brechbühl
 Counselor, U.S. Department of State

On Apr 9, 2019, at 2:19 AM, John Herbst [REDACTED] wrote:

Dear Mr. Brechbuhl,

We provide this for your information. As we offered David, we would be happy to provide further information to you if you would like.

Thanks for your attention to this.

Best,
 John

From: John Herbst [REDACTED]
Date: April 8, 2019 at 12:38:39 PM EDT
To: "haledm [REDACTED]"
Cc: "rpopadiuk [REDACTED]"
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1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846020 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

Best,
John

John Herbst | Director, Eurasia Center
Ambassador (Ret.)
1030 15th Street, NW, 12th Floor | Washington, DC
20005

B6

T: [REDACTED] | Cell: [REDACTED] Email:

[REDACTED]
www.facebook.com/AtlanticCouncil | [@JohnEdHerbst](https://twitter.com/JohnEdHerbst) |
www.AtlanticCouncil.org

NO DISCERNIBLE CLASSIFICATION

The Hon. David Hale
Under Secretary for Political Affairs
2201 C St NW
Washington, DC 20520

RELEASE IN FULL

April 5, 2019

Dear Under Secretary Hale:

We are former US Ambassadors to Ukraine who have served under both Republican and Democratic presidents, and who follow events in Ukraine carefully. We are deeply concerned by recent uncorroborated allegations questioning the work of the US Embassy in Kyiv and Ambassador Marie Yovanovitch. These charges are simply wrong.

Two articles by John Solomon -- in The Hill over the past several weeks and echoed in other media -- claim without credible evidence, that the US Embassy in Kyiv under Yovanovitch interfered in the Prosecutor General of Ukraine's ability to investigate anti-corruption cases. Based on hearsay, the articles also claim that the ambassador criticized President Donald Trump in talks with Ukrainian interlocutors. There are several problems with these claims.

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The second problem is that the articles evidence no familiarity with Ukrainian politics. Solomon takes the word of Ukraine's Prosecutor General at face value and describes him as a reformer. But many Ukrainian and foreign observers regard his reform record as prosecutor general as, at best, mixed.

Finally, the charges that Ambassador Yovanovitch badmouthed President Trump come from a letter that then-Congressman Pete Sessions sent to Secretary of State Mike Pompeo last May. As you know, the Secretary took no action, presumably because there was no evidence.

The alleged behavior attributed to Ambassador Yovanovitch are simply foreign to her ethics and professional demeanor. But we know that there are vested interests in Ukraine clearly unhappy with her championing the US government's strong reform advocacy, and these vested interests are not above smear tactics.

If the attack on Ambassador Yovanovitch were to gain traction, it would be an injustice against her and against reformers in Ukraine. Millions of Ukrainians took to the streets in the 2014 Maidan Revolution to bring transparency and accountability to Ukrainian politics. An alliance to sustain this momentum ensued -- of civil society (NGOs like the Anti-Corruption Action Center and Transparency International Ukraine); reformers at the ministerial level (like former Finance Minister Natalie Jaresko, former Finance Minister Oleksandr Danylyuk, Naftohaz Chief Andriy Kobolyev, and Health Minister Ulana Suprun); and the international community (including the IMF, the EBRD, the United States, and the European Union). This alliance has made it easier for the top leadership -- President Poroshenko and first Prime Ministers Yatsenyuk and then Groisman -- to make difficult reform decisions. Progress has not always been even, but the direction toward a democratically controlled Ukraine is profound.

The stories against the US Embassy and Ambassador Yovanovitch were partly designed to weaken that alliance; if the alliance is weaker, it will be harder to take effective action against corruption. Simple justice demands that that not happen.

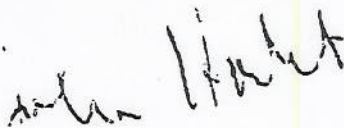
Further, allowing these attacks on a US ambassador in the field to stand without strong rebuttal from senior officials in the US government weakens the structure of our diplomatic engagement. We look forward to hearing that support.

We trust that we are preaching to the choir. But we wanted to be sure that you have our views.

Sincerely,



Roman Popadiuk
First U.S. Ambassador to Ukraine



John Herbst
Fifth U.S. Ambassador to Ukraine

Steven Pifer
Third U.S. Ambassador to Ukraine

William Taylor
Sixth U.S. Ambassador to Ukraine



Clark Pascual
Fourth U.S. Ambassador to Ukraine

J. Tefft
Seventh U.S. Ambassador to Ukraine

cc: Counselor T. Ulrich Brannbuhl

The Hon. David Hale
Under Secretary for Political Affairs
2201 C-St NW
Washington, DC 20520

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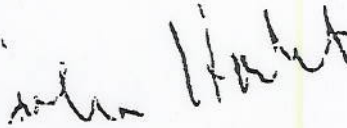
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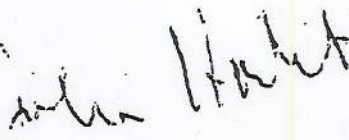
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UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845999 Date: 11/22/2019

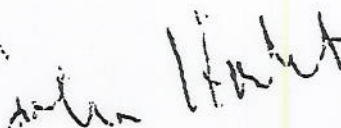
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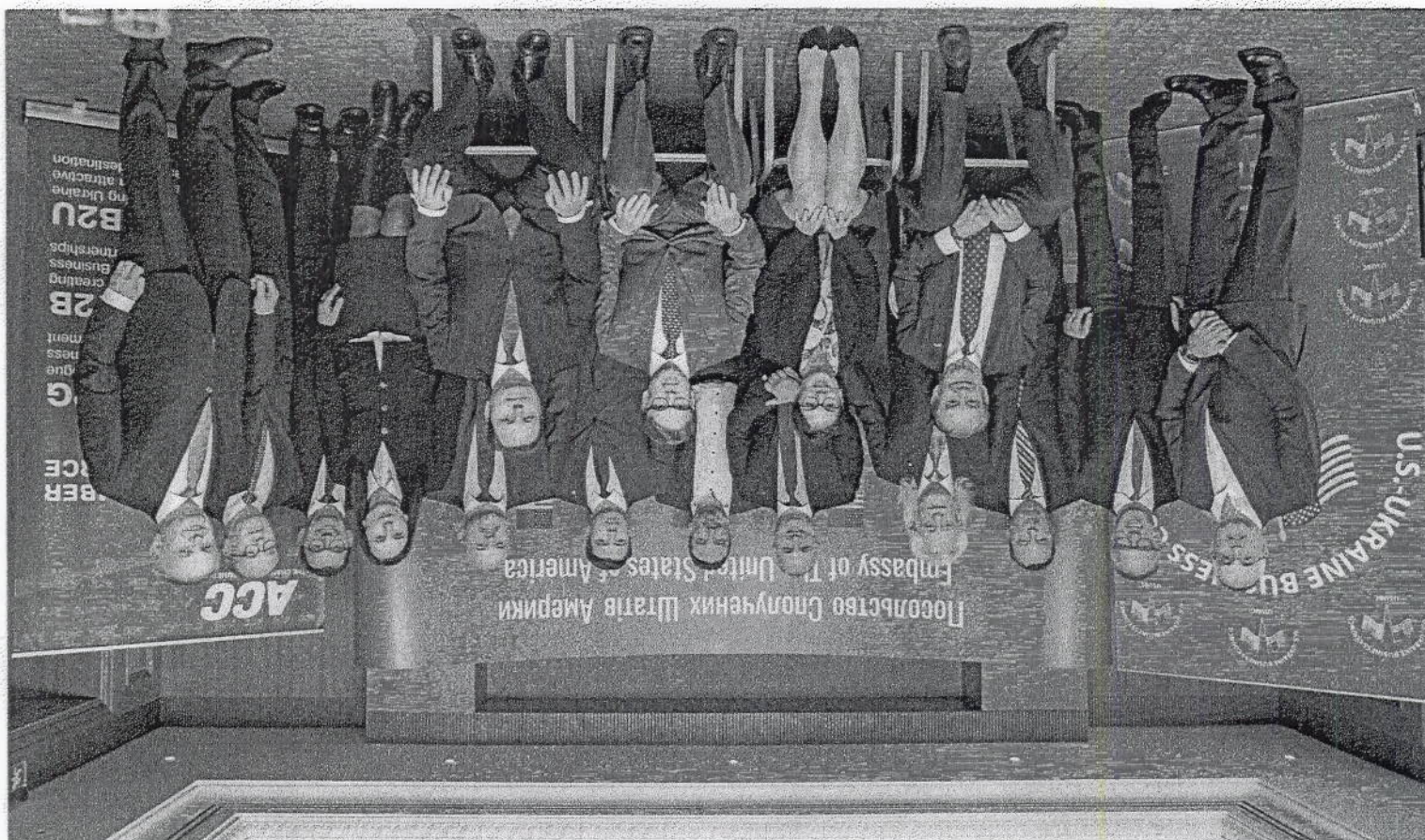
cc: Counselor T. Ulrich Brattbuhl



UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846004 Date: 11/22/2019



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RELEASE IN
FULL



Atlantic Council

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846012 Date: 11/22/2019

From: Faulkner, Charles S
Sent: Friday, April 12, 2019 5:20 PM
To: Kenna, Lisa D
Cc: Taylor, Mary Elizabeth; [REDACTED] Moore, Jessica L; Hale, David; Reeker, Philip T; [REDACTED] Brechbuhl, Thomas U; Buangan, Richard L
Subject: Letter for Secretary Pompeo from Reps. Hoyer and Engel

B6

Please see the attached letter to Secretary Pompeo from Majority Leader Hoyer and Chairman Engel concerning Amb. Yovanovitch.

We are informed the Congressmen do not intend to make this letter public.

Charles

RELEASE IN PART B6

Congress of the United States
Washington, DC 20515

April 12, 2019

The Honorable Michael R. Pompeo
Secretary
U.S. Department of State
2201 C Street NW
Washington, DC 20520

RELEASE IN FULL

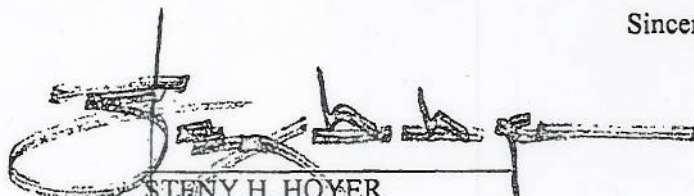
Dear Mr. Secretary:

We write to express our deep concern regarding a series of attacks on career foreign service officers currently stationed as or nominated to become U.S. ambassadors. In what is an increasingly disturbing trend, we have seen foreign officials attack our own U.S. ambassadors and foreign service officers for performing their jobs and advancing U.S. interests.

We are particularly concerned about the outrageous efforts by Ukrainian officials to impugn the efforts of our representative in that country, Ambassador Masha Yovanovitch, whom we know to be a dedicated public servant and diplomat of the highest caliber. Prior to her appointment in Ukraine, Ambassador Yovanovitch twice served honorably and effectively as U.S. Ambassador, first nominated by President George W. Bush. During her time in Ukraine, she has been a tireless advocate for governance and economic reforms and the fight against corruption, critical for the long-term success of democracy in Ukraine and the country's ability to counter Russian aggression. It is disappointing that certain political actors within Ukraine have criticized Ambassador Yovanovitch, given her focus on anti-corruption efforts that touch on their interests.

It is critical that State Department leadership support our ambassadors and foreign service officers in the field and make clear that they will not be subjected to any politically motivated attacks. We urge you to make public statements personally defending your team and those who represent our country from these spurious disparagements. These public servants represent our finest values, and they should know they have the full backing of the U.S. government in performing their critical mission.

Sincerely,



STENY H. HOYER
House Majority Leader



ELIOT L. ENGEL
Chairman, House Foreign Affairs
Committee

PRINTED ON RECYCLED PAPER

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845983 Date: 11/22/2019

From: Moore, Jessica L
Sent: Friday, April 12, 2019 7:48 PM
To: [REDACTED] Taylor, Mary Elizabeth; Faulkner, Charles S
Cc: [REDACTED]
Subject: RE: Letter for Secretary Pompeo from Reps. Hoyer and Engel
Attachments: Letter to Pompeo from ELE Hoyer on Amb Yovanovitch.pdf

B6

Attached!

RELEASE IN PART B6

Official
 UNCLASSIFIED

From: [REDACTED]
Sent: Friday, April 12, 2019 6:24 PM
To: Taylor, Mary Elizabeth <[REDACTED]> Faulkner, Charles S <[REDACTED]>
Cc: Moore, Jessica L <[REDACTED]>
Subject: Re: Letter for Secretary Pompeo from Reps. Hoyer and Engel

Can someone send me the letter? I was not on the below email.

Get [Outlook](#) for iOS

From: Taylor, Mary Elizabeth <[REDACTED]>
Sent: Friday, April 12, 2019 6:15 PM
To: Faulkner, Charles S.
Cc: Moore, Jessica L <[REDACTED]>
Subject: RE: Letter for Secretary Pompeo from Reps. Hoyer and Engel

Can we pls ensure this is tasked and turned around quickly?

Official
 UNCLASSIFIED

From: Faulkner, Charles S <[REDACTED]>
Sent: Friday, April 12, 2019 5:20 PM
To: Kenna, Lisa D <[REDACTED]>
Cc: Taylor, Mary Elizabeth <[REDACTED]> Moore, Jessica L <[REDACTED]>
 <[REDACTED]>; Hale, David <[REDACTED]>; Reeker, Philip T <[REDACTED]>

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845982 Date: 11/22/2019

[redacted]; Brechbuhl, Thomas U [redacted]; Buangan,

Richard L [redacted] >

Subject: Letter for Secretary Pompeo from Reps. Hoyer and Engel

Please see the attached letter to Secretary Pompeo from Majority Leader Hoyer and Chairman Engel concerning Amb. Yovanovitch.

We are informed the Congressmen do not intend to make this letter public.

Charles

Congress of the United States
Washington, DC 20515

April 12, 2019

RELEASE IN FULL

The Honorable Michael R. Pompeo
Secretary
U.S. Department of State
2201 C Street NW
Washington, DC 20520

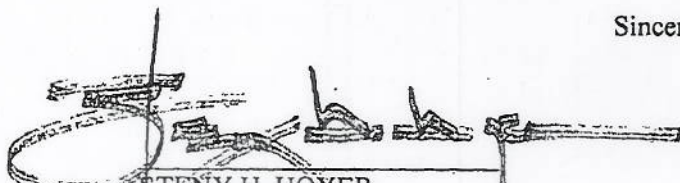
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Sincerely,



STENY H. HOYER
House Majority Leader



ELIOT L. ENGEL
Chairman, House Foreign Affairs
Committee

PRINTED ON RECYCLED PAPER

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845986 Date: 11/22/2019

From: Edward Verona [REDACTED]
Sent: Friday, November 16, 2018 12:39 PM
To: McKinley, P Michael
Subject: RV: Verona Photos
Attachments: Verona.jpg; Sec Perry Group Photo.JPG; IMG_9533.JPG

B6

RELEASE IN PART
B6

Mike,

I thought you might be interested in the photos of my meeting in Kyiv on Monday with Secretary Perry. We had a good meeting with the business community and with Ambassador Yovanovitch, who was a colleague back when I was at Embassy Moscow. Trident Acquisitions is moving forward with our investment goals in the U.S. and Ukraine.

Regards, Ed

De: [REDACTED]
Enviado el: jueves, 15 de noviembre de 2018 04:34 a. m.
Para: Edward Verona
Asunto: Fwd: Verona Photos

Looking good cheers.

Get [Outlook for iOS](#)

From: [REDACTED]
Sent: Thursday, November 15, 2018 13:29
To: [REDACTED]
Subject: Verona Photos

Feel free to send these to Ed if you like.

[REDACTED]
Senior Commercial Officer
U.S. Commercial Service
U.S. Embassy
Kyiv, Ukraine
[REDACTED]

From: McKinley, P Michael
Sent: Friday, November 16, 2018 1:25 PM
To: Edward Verona
Subject: RE: Verona Photos

RELEASE IN PART
B6

Thanks for sharing. All looking good!

Official
UNCLASSIFIED

From: Edward Verona
Sent: Friday, November 16, 2018 12:39 PM
To: McKinley, P Michael
Subject: RV: Verona Photos

Mike,

I thought you might be interested in the photos of my meeting in Kyiv on Monday with Secretary Perry. We had a good meeting with the business community and with Ambassador Yovanovitch, who was a colleague back when I was at Embassy Moscow. Trident Acquisitions is moving forward with our investment goals in the U.S. and Ukraine.

Regards, Ed

De: [REDACTED]
Enviado el: jueves, 15 de noviembre de 2018 04:34 a. m.
Para: Edward Verona [REDACTED]
Asunto: Fwd: Verona Photos

B6

Looking good cheers.

Get [Outlook for iOS](#)

From: [REDACTED]
Sent: Thursday, November 15, 2018 13:29
To: [REDACTED]
Subject: Verona Photos

Feel free to send these to Ed if you like.

[REDACTED]
Senior Commercial Officer
U.S. Commercial Service
U.S. Embassy
Kyiv, Ukraine
[REDACTED]



United States Department of State

Washington, D.C. 20520

The Honorable
Steny H. Hoyer
Majority Leader
House of Representatives
Washington, DC 20515

JUN 11 2019

RELEASE IN PART
B5, B6

Dear Mr. Hoyer:

Thank you for your April 12 letter regarding the attacks on Ambassador Marie Yovanovitch in the Ukrainian press.

Ambassador Yovanovitch was due to complete her three-year diplomatic assignment in Kyiv this summer. She departed post on May 20, which aligns with the presidential transition in Ukraine. The team at U.S. Embassy Kyiv, and in Washington, continues to work closely with the Ukrainian government and civil society to strengthen the U.S.-Ukraine partnership.

The United States remains committed to engaging with partners in Ukraine to address the persistent corruption that threatens to undermine Ukraine's national security, prosperity, and democratic development.

We hope this information is helpful to you. Please let us know if we may be of further assistance.

Sincerely,

Mary Elizabeth Taylor
Assistant Secretary
Bureau of Legislative Affairs



United States Department of State

Washington, D.C. 20520

JUN 11 2019

The Honorable
Eliot L. Engel, Chairman
Committee on Foreign Affairs
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your April 12 letter regarding the attacks on Ambassador Marie Yovanovitch in the Ukrainian press.

Ambassador Yovanovitch was due to complete her three-year diplomatic assignment in Kyiv this summer. She departed post on May 20, which aligns with the presidential transition in Ukraine. The team at U.S. Embassy Kyiv, and in Washington, continues to work closely with the Ukrainian government and civil society to strengthen the U.S.-Ukraine partnership.

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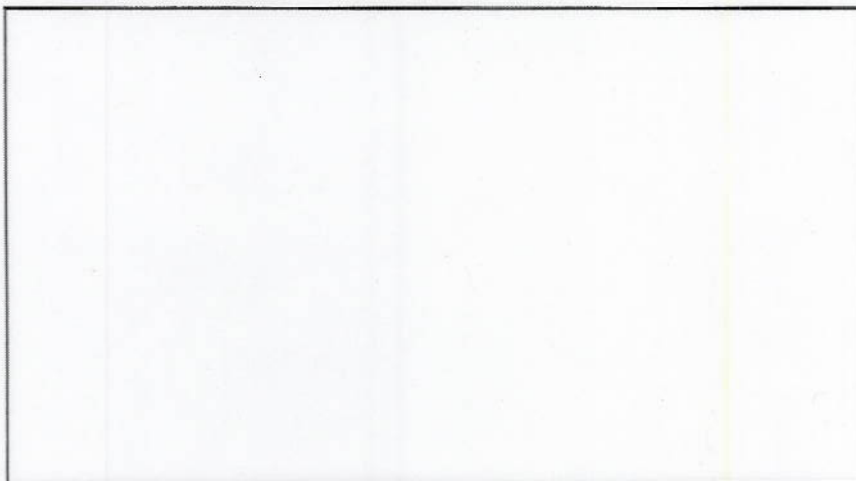
Sincerely,

Mary Elizabeth Taylor
Assistant Secretary
Bureau of Legislative Affairs

Approved:

Drafted:

Cleared:



B5, B6

