



United States Department of State

Washington, D.C. 20520

April 16, 2021

Case No. FL-2020-00018

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

Dear Ms. Sloan:

As noted in our letter dated March 5, 2021 we are processing your request for material under the Freedom of Information Act (the “FOIA”), 5 U.S.C. § 552. The Department of State has identified four additional responsive records subject to the FOIA. We have determined that all four may be released in part.

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, you may contact Trial Attorney, Joshua C. Abbuhl at Joshua.Abbuhl@usdoj.gov; (202) 616-2531. Please refer to the case number, F-2019-06332/FL-2020-00018, and the civil action number, 19-cv-02934, in all correspondence about this case.

Sincerely,

A handwritten signature in black ink that reads "Jeanne Miller". The signature is fluid and cursive, with the first name "Jeanne" and last name "Miller" clearly distinguishable.

Jeanne Miller
Chief, Programs and Policies Division
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

From:	Reeker, Philip T (b)(6)
To:	Brechbuhl, Thomas U (b)(6)
Subject:	Fw: (IFX U.S. Ambassador Yovanovitch to leave post - implications
Date:	2019/05/07 13:52:06
Type:	Note

TUB,

I'm catching up on email on the plane. After the many message chains yesterday, not sure how this is all playing out there. Passing along comments from one well-regarded analyst.

Best,

PTR

From: Timothy Ash (BLUEBAY ASSET MANAGE) (b)(6)

Sent: Tuesday, May 7, 2019 2:57 PM

Subject: (IFX) U.S. Ambassador Yovanovitch to leave post in May, departure aligned with presidential transition - U.S. Embassy in Ukraine

Sad that the State Dept, and presumably WH, have decided to end Ambassador Yovanovitch's stint in Ukraine early.

Important on a number of levels:

First, on a personal level, Yovanovitch did a decent job - her only "crime" was speaking out for more efforts from the Poroshenko administration to fight corruption. I think that campaign was close to most Ukrainian's hearts. For that she secured the wrath of the prosecutor general, Yuriy Lutsenko. And therein, Yovanovitch seems to have got caught in the cross-wires of the domestic political debate in the US - with Ukraine seeming to appear as a rod for Trump to beat the Democrats and Joe Biden.

Sad that Trump seems prepared to sacrifice career diplomats for his own agenda.

Second, and on that note, by removing Yovanovitch, I think the Trump administration is looking to move beyond the Mueller report, with Ukraine set to be a battleground in the 2020 elections between the GOP and the Democrats. The line will be that the Ukrainians tried to influence the 2016 elections - and it will be interesting to see if Lutsenko et al are willing to provide more ammo to Trump therein.

Third, the loss of Yovanovitch, the most experienced diplomat in Ukraine, from the US side at least, will be seen as a major sop to Russia. This leaves Ukraine with an inexperienced incoming president - less able now to draw on the experience/connections of a sage US diplomat. It also comes as the UK Ambassador in Kyiv is also changing. Very "inopportune". And in the US case, little idea/sense of when Yovanovitch's replacement will be nominated or approved by the Senate. So yet another hugely important US Ambassadorial post will be vacant - likely to be at a time when Russia will significantly test the new president in Ukraine.

This is a big loss for Ukraine, and it is a clear signal where Trump's priorities lie - more in normalising the relationship with Russia, than supporting allies such as Ukraine.

** Please note that any views expressed herein are those of the author as of the date of publication and are subject to change at any time due to market or economic conditions. The views expressed do not reflect the opinions of all portfolio managers at BlueBay, or the views of the firm as a whole. In addition, these conclusions are speculative in nature, may not come to pass and are not intended to predict the future of any specific investment. No representation or warranty can be given with respect to the accuracy or completeness of the information. Charts and graphs provided herein are for illustrative purposes only."

U.S. Ambassador Yovanovitch to leave post in May, departure aligned with presidential transition - U.S. Embassy in Ukraine
2019-05-07 09:38:28.936 GMT

U.S. Ambassador Yovanovitch to leave post in May, departure aligned with presidential transition - U.S. Embassy in Ukraine

KYIV. May 7 (Interfax-Ukraine) - The U.S. Embassy in Ukraine has confirmed Ambassador Marie Yovanovitch is leaving her post in May 2019, noting her departure is aligned with the presidential transition in Ukraine.

"U.S. Ambassador to Ukraine Marie Yovanovitch is a career U.S. Foreign Service diplomat whose three-year posting in Kyiv ends this summer," the U.S. Embassy in Kyiv told Interfax-Ukraine, adding that Yovanovitch has confirmed the date of her departure later this month, which aligns with the presidential transition in Ukraine.

The diplomats said they highly valued Yovanovitch's dedication to strengthening ties between Ukraine and the United States.

The U.S. embassy team in Kyiv and Washington, D.C., continue closely working with the Ukrainian government and civil society to strengthen partnership, the embassy said, adding that the United States is committed to its partnership with the Ukrainian people for ensuring a stable, prosperous, democratic and free Ukraine.

The diplomats said they would continue to work with Ukraine on reforms necessary for providing this country's long-term success. They did not comment on who would replace Yovanovitch as ambassador.

-0- May/07/2019 09:38 GMT

Sender:	Reeker, Philip T (b)(6)
Recipient:	Brechtbuhl, Thomas U (b)(6)
Sent Date:	2019/05/07 13:52:05

Delivered Date:	2019/05/07 13:52:06
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From:	Reeker, Philip T (b)(6)
To:	Brechbuhl, Thomas U (b)(6)
Subject:	Fw: Kyiv Social Media
Date:	2019/05/22 00:14:53
Type:	Note

Ulrich,

As promised, I asked Special Assistant (b)(6) to review social media out of Kyiv. There were a couple of farewell-related tweets and a farewell You-Tube video. Not something I had expected, but all standard.

There are also several Twitter posts re: the Presidential Delegation's visit for the inauguration . Was there any further feedback on any of this?

Phil

Sent from my BlackBerry 10 smartphone.

From: (b)(6)
Sent: Tuesday, May 21, 2019 5:22 PM
To: Reeker, Philip T
Subject: Kyiv Social Media



https://pbs.twimg.com/profile_images/881807931129438208/Cgf19nOV_normal.jpg

5/18/19, 8:35 AM

As Ambassador Yovanovitch concludes her diplomatic assignment in Kyiv, look back on her three years of work in Ukraine to advance #USUkrainePartnership! pic.twitter.com/GucjKErNDR

**U.S. Embassy
 Kyiv
 (@USEmbassyKyiv)**



https://pbs.twimg.com/profile_images/881807931129438208/Cgf19nOV_normal.jpg

5/19/19, 8:40 AM

As she concludes her assignment in Kyiv, hear Ambassador Yovanovitch's thoughts about the progress Ukraine has made over the past several years and about her experience working in Ukraine.

	youtu.be/dX0i7gt9t88
 https://pbs.twimg.com/profile_images/881807931129438208/Cgf19nOV_normal.jpg	
5/20/19, 12:55 AM Amb. Y: "The past 3 years in □□ have been unforgettable for me, my mother and I. As I depart, I remain as optimistic as ever about Ukraine's Euro-Atlantic future & impressed by the resilience and spirit of the □□ people." pic.twitter.com/X45R5JezsZ	

Sender:	Reeker, Philip T (b)(6)
	(b)(6)
Recipient:	Brecht, Thomas U (b)(6)
	(b)(6)
Sent Date: 2019/05/22 00:14:53	

From:	Reeker, Philip T [REDACTED] (b)(6)
	[REDACTED] (b)(6)
To:	Brechbuhl, Thomas U [REDACTED] (b)(6)
	[REDACTED] (b)(6)
	Hale, David [REDACTED] (b)(6)
	[REDACTED] (b)(6)
Subject:	Fw: Ukr story: Wednesday Updates on The Hill Article, fake list of names
Date:	2019/03/27 18:24:42
Type:	Note

Sent from my BlackBerry 10 smartphone.

From: Kent, George P [REDACTED] (b)(6)
Sent: Wednesday, March 27, 2019 10:55 AM
To: Reeker, Philip T; Murphy, Michael J; [REDACTED] (b)(6)
Cc: [REDACTED] (b)(6)
Subject: Ukr story: Wednesday Updates on The Hill Article, fake list of names

Two items of note posted on-line this morning:

- *The Hill* story last night, which broke nothing new but repackaged an element from last week to focus on an alleged Soros angle, is being retweeted by folk who have many followers (one below 640K).
- Of more note in the Ukrainian context, the second item below has a totally manufactured/fake list of alleged untouchables – ie, Lutsenko’s alleged. One key sign of it being fake is that most of the names are misspelled in English – we would never spell most that way. [REDACTED] (b)(5)

[REDACTED] (b)(5)

On substance, we also never dealt with some of the individuals -- key Poroshenko insiders, known corrupt actors, or random folk. In classic disinformation operation fashion, the list includes people we were known to associate with (element of truth) with those we wouldn’t ever touch (the disinfo intent). This list appears to be an effort by Lutsenko to inoculate himself for why he did not pursue corrupt Poroshenko associates and political allies – to claim that the US told him not to. Complete poppycock.

Finally, the list includes my 2015 business card as Acting Deputy Chief of Mission (I spent a better part of the 2015-16 year deploying out in Kyiv in acting status because my predecessor [REDACTED] (b)(6)

[REDACTED] (b)(6)

From: [REDACTED] (b)(6)

Sent: Wednesday, March 27, 2019 10:34 AM

Subject: RE: Wednesday Updates on The Hill Article, Social Media Commentary, Etc.

Tweeted 20 minutes ago by Sara A Carter, 640K followers:

Under [@BarackObama](#), the [@USEmbassyKyiv](#) Pressured Ukraine Not To Investigate Liberal “Mega-Donor” [@georgesoros](#). Why was Obama's [@StateDept](#) funding a [#Soros](#) group in Ukraine during the 2016 election and [#Manafort](#) probe? | via [@jsolomonReports](#) [@thehill](#)

This tweet links to an article on her website:

The Hill: U.S. Embassy Pressured Ukraine Not To Investigate Liberal “Mega-Donor”

During the 2016 U.S. presidential race Ukrainian prosecutors said they were stymied by then-President Obama’s appointed U.S. Ambassador to Ukraine from pursuing investigations into the activities of a nonprofit known as the Anti-Corruption Action Centre (AntAC), according to John Solomon with The Hill.

Ukraine’s Prosecutor General Yuri Lutsenko, who is considered a hero in the West for spending two years as a political prisoner for fighting Russian aggression in Ukraine , told Solomon that he was invited to meet new U.S. Ambassador to Ukraine Marie Yovanovitch. He was appointed to this position in 2016 and it was then that he spoke to Yovanovitch, he said.

He said they, “gave me a list of people whom we should not prosecute.” According to Yovanovitch, it included a founder of the AntAC group and two members of Parliament. Those people “supported the group’s anti-corruption reform agenda, according to a source directly familiar with the meeting,” according to Solomon, who spoke to a source.

Ukrainian law enforcement was probing a group that was co-funded by the Obama administration, as well as billionaire donor George Soros. Further, according to Solomon the group was allegedly collaborating with the FBI agents investigating then-Trump campaign manager Paul Manafort’s business activities in Ukraine.

From The Hill

The focus on AntAC — whose youthful street activists famously wore “Ukraine F&k Corruption” T-shirts — was part of a larger probe by Ukraine’s Prosecutor General’s Office into whether \$4.4*

million in U.S. funds to fight corruption inside the former Soviet republic had been improperly diverted.

he prosecutors soon would learn the resistance they faced was blowing directly from the U.S. Embassy in Kiev, where the Obama administration took the rare step of trying to press the Ukrainian government to back off its investigation of both the U.S. aid and the group.

“The investigation into the Anti-Corruption Action Center (sic), based on the assistance they have received from us, is similarly misplaced,” then-embassy Charge d’ Affaires George Kent wrote the prosecutor’s office in April 2016 in a letter that also argued U.S. officials had no concerns about how the U.S. aid had been spent...

<https://saraacarter.com/the-hill-u-s-embassy-pressured-ukraine-not-to-investigate-liberal-mega-donor/>

Official - SBU

UNCLASSIFIED

From: [REDACTED] (b)(6)

Sent: Wednesday, March 27, 2019 2:25 PM

Subject: RE: Wednesday Updates on The Hill Article, Social Media Commentary, Etc.

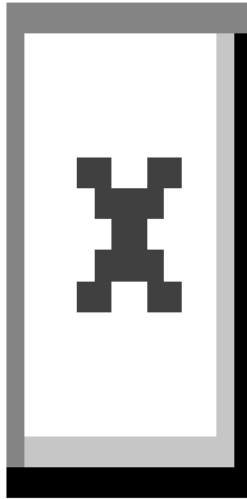
Below is a Medium article allegedly listing the names on the “Yovanovitch list”)

The names of ‘improsecutable’ Ukrainians from the Yovanovitch list got out

By Tony Sealy

The main thing appeared in the scandal around the Ukrainian Prosecutor General Yuriy Lutsenko’s statement on the list of individuals he should not prosecute given to him by the American Ambassador. That thing is the names. Ukrainians started to actively share the photo leaked out to the web on Facebook communities oppositional to the current President of Ukraine.

(Note: Photo below – in case it doesn’t display well for those reading on Blackberries, etc. -- lists the names: Sergej Leshchenko, Mustafa Najem, Svetlana Zalishchuk, Oleg Gladkovskij (Svinarchuk), Svyatoslav Vakarchuk, Valeriya Gontareva, Anatolij Gricenko, Boris Lozhkin, Aleksandr Pasenyuk, Sergej Berezenko, Dmitrij Gordon, Arsenij Yatsenuk, Sergej Pashinskij, and also displays what appears to be a business card of George Kent.)



https://cdn-images-1.medium.com/max/800/1*Yql54zHYImT7kji_LUueA.jpeg

To recap, earlier on, the Prosecutor General of Ukraine stated in an interview to the Hill that in 2016 US Ambassador to Ukraine Marie Yovanovitch had given him a list of individuals who should not be prosecuted by his department. However, Lutsenko did not mention any names.

The fact that such classified document could get out on the web behind the Trump Administration's back is now as hard to believe as the fact that a high ranked official like Lutsenko could even make such a revelation without the knowledge of Poroshenko.

Most likely Poroshenko himself ordered to set Yovanovitch up trying to gain support of both Donald Trump and the Republicans at the elections. However, Trump did not appreciate such an attempt. He made it clear he never forgave Poroshenko's support of Clinton at the elections in the United States. After receiving an aggressive reaction, Poroshenko instantly passed the buck to Lutsenko, and confirmed he completely backed Yovanovitch. Yet, the last move was still made by the White House. The list of the names that were not mentioned in the sensational interview by the Prosecutor General of Ukraine has magically appeared on the web.

<https://medium.com/@tosealy/the-names-of-improsecutable-ukrainians-from-the-yovanovitch-list-got-out-117b096b02ac>

Official - SBU

UNCLASSIFIED

Sender:	Reeker, Philip T (b)(6)
	(b)(6)
Recipient:	Brechbuhl, Thomas U (b)(6)
	(b)(6)
	Hale, David (b)(6)
	(b)(6)
Sent Date:	2019/03/27 16:24:42

From:	(b)(6)
To:	Brechbuhl, Thomas U (b)(6)
Subject:	Fwd: For Thomas' clearance: media queries Amb. Y
Date:	2019/03/24 20:19:35
Type:	Note

Ulrich,
 Bring this clearance request to your attention — I can also ask Brian to clear, if it doesn't rise to your level of interest.
 Hope all is well.

(b)(6)

Begin forwarded message:

From: (b)(6)
Date: March 24, 2019 at 2:40:05 PM CDT
To: "Brechbuhl, Thomas U" (b)(6)
Cc: C_Policy <C_Policy@state.gov>, EUR-Press <EUR-Press-DL@state.gov>, "Reeker, Philip T" (b)(6)
Subject: For Thomas' clearance: media queries Amb. Y

Good afternoon Thomas,
 Your clearance is requested on the below response to media queries on US Amb to Ukraine Marie Yovanovitch.

This has been cleared by Embassy Kyiv; EUR/FO DAS Kent; and is currently in clearance with 7th floor staffers and NSC/Press.

EUR/Press is sending this to you per the request of AS Reeker – copied on this email.

Thank you,

(b)(6)

Query: "US Ambassador to Ukraine Marie Yovanovitch and recent remarks made on Fox News programs, including Laura Ingraham's and Sean Hannity's programs, and elsewhere in the public sphere accusing Ambassador Yovanovitch of opposing and criticizing President Trump.

What is the State Department's response to allegations made on these programs and elsewhere in the public sphere that Ambassador Yovanovitch has criticized President Trump in meetings with Ukrainian officials and that she does not support President Trump? Will Ambassador Yovanovitch remain in her current position? Has Ambassador Yovanovitch been asked in any way to resign or been contacted by Secretary Pompeo over the matter? Does the Ambassador have the support of

Secretary Pompeo? Does the Ambassador plan to remain in Ukraine this week and through the elections? Will she be returning to Washington at any point?"

(b)(5)

Official
UNCLASSIFIED

Sender:	(b)(6)	
Recipient:	Brechbuhl, Thomas U	(b)(6)
Sent Date:	2019/03/24 20:19:34	
Delivered Date:	2019/03/24 20:19:35	