

# U.S. House of Representatives

## Committee on the Judiciary

Washington, DC 20515-6216  
One Hundred Sixteenth Congress

May 14, 2020

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

Dear Mr. Secretary:

I write regarding documents that the State Department recently released pursuant to the Freedom of Information Act (FOIA).<sup>1</sup> Although these documents are partially redacted, they appear to shed new light on the actions of State Department employees during the Obama-Biden Administration in relation to the corrupt Ukrainian energy company, Burisma Holdings, and its founder, Mykola Zlochevsky.

Burisma is the notoriously corrupt Ukrainian oil and gas company founded by Zlochevsky, a former Ukrainian minister who allegedly allowed Burisma to receive mineral licenses without public auction.<sup>2</sup> Former Vice President Joe Biden's son, Hunter Biden—along with former Secretary John Kerry's step son, Christopher Heinz, and Devon Archer—were “part of a broad effort by Burisma to bring in well-connect Democrats during a period when the company was facing investigations backed not just by domestic Ukrainian forces but by officials in the Obama Administration.”<sup>3</sup> Hunter Biden joined Burisma's board at the same time his father, Vice President Joe Biden, was responsible for the United States's diplomatic efforts with Ukraine.<sup>4</sup>

During the House Democrats' partisan impeachment inquiry in late 2019, several State Department officials described how they raised concerns during the Obama-Biden Administration about Hunter Biden's role with Burisma. Deputy Assistant Secretary George Kent testified that Burisma's “reputation in the industry is a company that throws elbows and uses political strings.”<sup>5</sup> Kent testified that he raised concerns directly to Vice President Biden's

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<sup>1</sup> John Solomon, *Impeachment Boomerang: Contacts exposed between US embassy, Hunter Biden-connected Ukraine firm*, JUST THE NEWS (May 13, 2020).

<sup>2</sup> Paul Sonne & Laura Mills, *Ukrainians see conflict in Biden's anticorruption message*, WALL ST. J. (Dec. 7, 2015).

<sup>3</sup> Kenneth P. Vogel & Iuliia Mendel, *Biden faces conflicts of interest questions that are being promoted by Trump and allies*, N.Y. TIMES (May 1, 2019).

<sup>4</sup> Adam Taylor, *Hunter Biden's new job at a Ukrainian gas company is a problem for U.S. soft power*, WASH. POST (May 14, 2014).

<sup>5</sup> Deposition of George Kent, in Wash., D.C., at 83 (Oct. 15, 2019).

office about Hunter Biden's role on Burisma.<sup>6</sup> Ambassador Marie Yovanovitch testified that the Obama-Biden Administration actually prepared her to answer questions about Hunter Biden's relationship with Burisma as part of her Senate confirmation process in 2016.<sup>7</sup> When asked about her awareness of the criminal investigation into Burisma, Ambassador Yovanovitch testified that she did not know very much about the subject and that "Burisma wasn't a big issue" when she arrived in Kyiv.<sup>8</sup>

The documents released pursuant to FOIA provide additional details about the Obama-Biden Administration's actions toward Burisma. For instance, on December 29, 2016, U.S. Embassy staff in Ukraine emailed Ambassador Yovanovitch a news article about Burisma's political bribes and flagged for her that Hunter Biden sat on its board.<sup>9</sup> The Embassy's Deputy Economic Counselor confirmed to Ambassador Yovanovitch that nefarious allegations about Burisma in the article were "true," telling her "[y]ou can't make this stuff up."<sup>10</sup> On September 15, 2016, Burisma's attorneys at Cravath, Swaine and Moore in New York City sent a letter to Ambassador Yovanovitch informing her that Ukrainian Prosecutor General Yuriy Lutsenko was dropping the corruption investigation into Burisma.<sup>11</sup> Within seven days of the letter from Cravath, Swaine and Moore, at Kent's request, Ambassador Yovanovitch received a briefing on September 21, 2016, about "Zlochevsky, Burisma, Cravath, and image rehab campaigns" and the "past crimes" surrounding Burisma and Zlochevsky.<sup>12</sup> Ambassador Yovanovitch testified during her impeachment deposition that she could not recall a briefing about issues relating to Burisma.<sup>13</sup>

In addition, according to news reports, other State Department documents show that the alleged "whistleblower" who started the Democrats' partisan impeachment inquiry also played a role in facilitating the Obama-Biden Administration's interactions with the Ukrainian government relating to Burisma and Hunter Biden. These documents reportedly detail how the "whistleblower," as a National Security Council (NSC) detailee, hosted a White House meeting that took place with Ukrainian prosecutors in January 2016 regarding a concern that Hunter Biden's role with Burisma could complicate a potential prosecution of the company's

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<sup>6</sup> *Id.* at 226-27.

<sup>7</sup> Deposition of Ambassador Marie Yovanovitch, in Wash., D.C. 150-153 (Oct. 11, 2019).

<sup>8</sup> *Id.* at 104.

<sup>9</sup> Email from [redacted] to Marie Yovanovitch, U.S. Ambassador to Ukr., State Dep't (Dec. 29, 2016, 07:29) ("Lots of accusations/innuendo. Mentions Biden's son and kwasniewski (sic) are on board of Burisma which allegedly had a subsidiary dump natural gas recently as a way to pay bribes to P2 inner circle.").

<sup>10</sup> Email from [redacted], Deputy Econ. Counselor, U.S. Embassy Kyiv, to Marie Yovanovitch, U.S. Ambassador to Ukr., State Dep't (Dec. 29, 2016, 01:49) ("The dumping part is true... You can't make this stuff up.").

<sup>11</sup> Letter from John D. Buretta, Attorney for Burisma, to Marie Yovanovitch, U.S. Ambassador to Ukr., State Dep't (Sep. 15, 2106).

<sup>12</sup> Email from George Kent, Deputy Assistant Sec'y, State Dep't, to [redacted] (Sep. 15, 2016 23:07); Email from [redacted] to George Kent, Deputy Assistant Sec'y, State Dep't (Sep. 16, 2016, 08:04) ("topic: Zlochevsky/Burisma – asset recovery and past crimes of the Yanu regime, as they intersect US corporate/individual interests).

<sup>13</sup> Deposition of Ambassador Marie Yovanovitch, in Wash., D.C., *supra* note 7, at 151. (emphasis added); *see id.* at 20 ("I arrived in Ukraine on August 22, 2016...").

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wrongdoing.<sup>14</sup> Contemporaneous visitor logs confirm that numerous Ukrainian officials were present at the White House on the day of the meeting.<sup>15</sup>

The Committee on the Judiciary has historically considered impeachment-related matters and House Resolution 660 specifically authorized the Committee to handle matters related to the Democrats' partisan impeachment inquiry.<sup>16</sup> In light of this new information, and in order to better understand any previous barriers to our ability to cooperate with international law enforcement efforts related to Burisma, I respectfully request the following material:

1. Unredacted copies of all documents released pursuant to the Freedom of Information Act relating to Burisma Holdings, Mykola Zlochevsky, or Hunter Biden;
2. All documents and communications referring or relating to Burisma Holdings or Mykola Zlochevsky for the period January 1, 2014, to January 20, 2017; and
3. All documents and communications referring or relating to Hunter Biden, Christopher Heinz, or Devon Archer for the period January 1, 2014, to January 20, 2017.

Please provide this information as soon as possible, but no later than 5:00 p.m. on May 28, 2020. Thank you for your attention to this matter.

Sincerely,



Jim Jordan  
Ranking Member

cc: The Honorable Jerrold L. Nadler, Chairman

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<sup>14</sup> David Montanaro, *Laura Ingraham: Much more to uncover when it comes to the Bidens, Burisa and Ukraine whistleblower* (Jan. 23, 2020) FOX NEWS, <https://www.foxnews.com/media/laura-ingraham-biden-family-burisma-ukraine-whistleblower>.

<sup>15</sup> *Id.*

<sup>16</sup> H.R. Res. 660 116<sup>th</sup> Cong. (2019); *See also*, H.R. Res. 581 105<sup>th</sup> Cong. (1998).