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UNITED STATES SENATE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

COMMITTEE ON FINANCE

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INTERVIEW OF: :

AMBASSADOR GEOFFREY R. PYATT :

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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:

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17 WILLIAM SACRIPANTI, Professional Staff Member, HSGAC

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19 For Senator Grassley:

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21 Finance Committee

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1 APPEARANCES: [Continued]

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3 For Senator Peters:

4 ZACHARY SCHRAM, Minority Chief Counsel, HSGAC

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10 For Senator Wyden:

11 DAVID BERICK, Minority Chief Investigator, Finance

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13 DAN GOSHORN, Minority Senior Counsel, Finance Committee

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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. 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 AMBASSADOR PYATT: Not that I'm aware of because policy
2 was consistent throughout the time that I was dealing with
3 it. It only became harder. It didn't become softer.

4 MR. SCHRAM: Turning briefly to the loan conditions,
5 you mentioned during the first hour that there was an
6 interagency process. We've spoken about that at length.
7 And conditions were set for Ukraine to receive a third loan
8 guarantee.

9 I'm marking at Exhibit B--this is a document. At the
10 top of the first page, the number is 017179. It's an email
11 exchange. The first page is dated January 15th, 2016.

12 [Pyatt Exhibit B was marked
13 for identification.]

14 AMBASSADOR PYATT: Yeah. That's the one you guys just
15 sent me. Let me see where I put this. I literally printed
16 them out just before--

17 MR. SCHRAM: I will ask you about--

18 AMBASSADOR PYATT: Yeah, I've got it.

19 MR. SCHRAM: You've got it. Okay.

20 AMBASSADOR PYATT: I think so. Yeah, "Have a good
21 weekend." Yeah, I've got it.

22 MR. SCHRAM: So turning to the page that shows the
23 proposed conditions of--proposed conditions precedent.

24 AMBASSADOR PYATT: Right. Yeah. You guys can take the
25 document down now. I've got it in front of me.

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

This email is UNCLASSIFIED.

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

This email is UNCLASSIFIED.

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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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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 -

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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 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.

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- 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.
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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>; Zentos, Elisabeth <Elisabeth_F_Zentos@nsc.eop.gov>; Makanju, Anna <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]
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>

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>

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 .

>>[>>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)<<

(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

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

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.

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 no later than COB October 29, copying me (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>; 'ramin.toloui@treasury.gov' <ramin.toloui@treasury.gov>; 'Andres.Chong-Qui@treasury.gov' <Andres.Chong-Qui@treasury.gov>; 'Mary.Svenstrup@treasury.gov' <Mary.Svenstrup@treasury.gov>; Singh, Daleep <daleep.singh@treasury.gov>; 'Matthew.Malloy@treasury.gov' <Matthew.Malloy@treasury.gov>; 'Michael.Leonard2@treasury.gov' <Michael.Leonard2@treasury.gov>; 'Nuland, Victoria J' <nulandvj@state.gov>; 'Jeffrey, Jahn F' <JeffreyJahnF@state.gov>; 'EUR-EE-Ukraine Econ-DL' <EUR-EE-UkraineEcon-DL@state.gov>; 'Romanowski, Alina L' <RomanowskiAL@state.gov>; 'Wynne, Janine M' <WynneJM@state.gov>; 'F-EUR@state.gov' <F-EUR@state.gov>; 'Kubiske, Lisa' <KubiskeL@state.gov>; 'Watson, Samuel R' <WatsonSR@state.gov>; 'dovean@state.gov' <dovean@state.gov>; 'dunniganRL@state.gov' <dunniganRL@state.gov>; 'Hochstrasser, Franz J.' <HochstrasserFJ@state.gov>; 'hochsteinaj@state.gov' <hochsteinaj@state.gov>; 'pyattgr@state.gov' <pyattgr@state.gov>; 'Bond, Clifford G' <BondCG@state.gov>; 'Laitinen, William H' <LaitinenWH@state.gov>; 'JohnstonTL@state.gov' <JohnstonTL@state.gov>; 'Saad, Fouad' <Fouad_P_Saad@omb.eop.gov>; 'Fairweather, Rob' <Robert_S_Fairweather@omb.eop.gov>; 'Ryan, Erika' <Erika_S_Hamalainen@omb.eop.gov>; 'Matthew Murray' <Matthew.Murray@trade.gov>; 'boris.chumak@trade.gov' <boris.chumak@trade.gov>; 'Daniel.Dodds@trade.gov' <Daniel.Dodds@trade.gov>; 'skip.jones@trade.gov' <skip.jones@trade.gov>; 'Mullaney, Dan' <Daniel_Mullaney@USTR.EOP.GOV>; 'Hafner, Betsy' <Elizabeth_Hafner@USTR.EOP.GOV>; 'Lorenz, Andrew' <Andrew_R_Lorenz@ustr.eop.gov>; 'Andrea.Lockwood@hq.doe.gov' <Andrea.Lockwood@hq.doe.gov>; 'Jonathan.Elkind@hq.doe.gov' <Jonathan.Elkind@hq.doe.gov>; 'Urbanas, Elizabeth (Contact)' <Elizabeth.Urbanas@Hq.Doe.Gov>; 'Paul.Tumminia@Hq.Doe.Gov' <Paul.Tumminia@Hq.Doe.Gov>; 'jokatz@usaid.gov' <jokatz@usaid.gov>; 'Gonzales, Laura (KYIV/DIR)' <lgonzales@usaid.gov>; 'Donald McPherson' <bmcperson@usaid.gov>; 'Gallagher, Leo'

<GallagherL@state.gov>; 'Bruce.Swartz@usdoj.gov' <Bruce.Swartz@usdoj.gov>; 'Newcombe, Catherine' <Catherine.Newcombe@usdoj.gov>; #EUROPE <[#EUROPE@dsr.eop.gov](https://twitter.com/EUROPE@dsr.eop.gov)>; Carpenter, Michael <MCarpenter@ovp.eop.gov>; #LEGISLATIVE <[#LEGISLATIVE@dsr.eop.gov](https://twitter.com/LEGISLATIVE@dsr.eop.gov)>; #STRATPLAN <STRATPLAN@nsc.eop.gov>; Stroh, Mark <[Mark E Stroh@nsc.eop.gov](mailto:Mark_E_Stroh@nsc.eop.gov)>; 'Topping, Jennifer' <ToppingJL@state.gov>
Cc: MacFarquhar, Rory <Rory_MacFarquhar@who.eop.gov>; Leahy, Michael <Michael_B_Leahy@nsc.eop.gov>; Haubrich, Edward <Edward_J_Haubrich@nsc.eop.gov>; Lortie, Josh <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>; 'ramin.toloui@treasury.gov' <ramin.toloui@treasury.gov>; 'Andres.Chong-Qui@treasury.gov' <Andres.Chong-Qui@treasury.gov>; 'Mary.Svenstrup@treasury.gov' <Mary.Svenstrup@treasury.gov>; Singh, Daleep <daleep.singh@treasury.gov>; 'Matthew.Malloy@treasury.gov' <Matthew.Malloy@treasury.gov>; 'Michael.Leonard2@treasury.gov' <Michael.Leonard2@treasury.gov>; 'Nuland, Victoria J' (<nulandvj@state.gov>) <nulandvj@state.gov>; 'Jeffrey, Jahn F' <JeffreyJahnF@state.gov>; 'EUR-EE-Ukraine Econ-DL' <EUR-EE-UkraineEcon-DL@state.gov>; 'Romanowski, Alina L' <RomanowskiAL@state.gov>; 'Wynne, Janine M' <WynneJM@state.gov>; 'F-EUR@state.gov' <F-EUR@state.gov>; 'Kubiske, Lisa' <KubiskeL@state.gov>; 'Watson, Samuel R' <WatsonSR@state.gov>; 'dovean@state.gov' <dovean@state.gov>; 'dunniganRL@state.gov' <dunniganRL@state.gov>; 'Hochstrasser, Franz J.' <HochstrasserFJ@state.gov>; 'hochsteinaj@state.gov' <hochsteinaj@state.gov>; 'pyattgr@state.gov' <pyattgr@state.gov>; 'Bond, Clifford G' <BondCG@state.gov>; 'Laitinen, William H' <LaitinenWH@state.gov>; 'JohnstonTL@state.gov' <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>; 'boris.chumak@trade.gov' <boris.chumak@trade.gov>; 'Daniel.Dodds@trade.gov' <Daniel.Dodds@trade.gov>; 'skip.jones@trade.gov' <skip.jones@trade.gov>; Mullaney, Dan <Daniel_Mullaney@USTR.EOP.GOV>; Hafner, Betsy <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>; 'Jonathan.Elkind@hq.doe.gov' <Jonathan.Elkind@hq.doe.gov>; 'Urbanas, Elizabeth (Contact)' <Elizabeth.Urbanas@Hq.Doe.Gov>; 'Paul.Tumminia@Hq.Doe.Gov' <Paul.Tumminia@Hq.Doe.Gov>; 'jokat@usaid.gov' <jokat@usaid.gov>; 'Gonzales, Laura (KYIV/DIR)' <lgonzales@usaid.gov>; 'Donald McPherson' <bmcperson@usaid.gov>; 'Gallagher, Leo' <GallagherL@state.gov>; 'Bruce.Swartz@usdoj.gov' <Bruce.Swartz@usdoj.gov>; 'Newcombe, Catherine' <Catherine.Newcombe@usdoj.gov>; #EUROPE <[#EUROPE@dsr.eop.gov](https://twitter.com/EUROPE@dsr.eop.gov)>; Carpenter, Michael <MCarpenter@ovp.eop.gov>; #LEGISLATIVE <[#LEGISLATIVE@dsr.eop.gov](https://twitter.com/LEGISLATIVE@dsr.eop.gov)>; #STRATPLAN <STRATPLAN@nsc.eop.gov>; Stroh, Mark <[Mark E Stroh@nsc.eop.gov](mailto:Mark_E_Stroh@nsc.eop.gov)>; 'Topping, Jennifer' <ToppingJL@state.gov>
Cc: MacFarquhar, Rory <Rory_MacFarquhar@who.eop.gov>; Leahy, Michael <Michael_B_Leahy@nsc.eop.gov>; Haubrich, Edward <Edward_J_Haubrich@nsc.eop.gov>; Lortie, Josh <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