

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

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

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

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

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

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

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

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

(b)(6) Personal privacy information

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

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

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

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

Other Grounds for Withholding

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

NO DISCERNIBLE CLASSIFICATION

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

RELEASE IN
PART B6

[REDACTED] NO DISCERNIBLE CLASSIFICATION

1

John Herbst | Director, Eurasia Center

B6

RELEASE IN PART
B6

Ambassador (Ret.)

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

T: | Cell: | Email: |

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

NO DISCERNIBLE CLASSIFICATION

B6

[REDACTED]

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

RELEASE IN PART
B6

FYI

Sent from my iPhone

Begin forwarded message:

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

Dear David,

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

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

Best,
John

NO DISCERNIBLE CLASSIFICATION

1

NO DISCERNIBLE CLASSIFICATION

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

RELEASE IN PART
B5, B6

Ulrich,
Thanks for meeting this afternoon.

B5

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

B6

Best, Phil

Sent from my BlackBerry 10 smartphone.

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

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

Best,

John Herbst

Official

UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

1

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

NO DISCERNIBLE CLASSIFICATION

NO DISCERNIBLE CLASSIFICATION

2

B6

NO DISCERNIBLE CLASSIFICATION

RELEASE IN
PART B6

B6

[REDACTED]

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

NO DISCERNIBLE CLASSIFICATION

1

AMERICAN
OVERSIGHT

RELEASE IN PART
B6



Atlantic Council

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

John Herbst | Director, Eurasia Center

Ambassador (Ret.)

B6

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

T: | Cell: | Email:

www.facebook.com/AtlanticCouncil | [@JohnEdHerbst](#) |
www.AtlanticCouncil.org

NO DISCERNIBLE CLASSIFICATION

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

RELEASE IN PART
B6

B6

Not sure what to do with this

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

Dear David,

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

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

Best,
John



Atlantic Council

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

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

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

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

NO DISCERNIBLE CLASSIFICATION

1

NO DISCERNIBLE CLASSIFICATION

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

RELEASE IN PART B6

B6

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

Ulrich

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

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

Dear Mr. Brechbuhl,

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

Thanks for your attention to this.

Best,
 John

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

Dear David,
 Attached is a letter signed by five of our colleagues and myself regarding the ungrounded attack by the Ukrainian Prosecutor General on our Embassy in Kyiv and Ambassador Yovanovitch. This attack was in fact prompted by the Ambassador and Embassy's strong advocacy of Washington policy on reform issues. Thank you for your attention to this.
 If you have any questions and would like further information, we are at your disposal.

NO DISCERNIBLE CLASSIFICATION

1

NO DISCERNIBLE CLASSIFICATION

Best,
John

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

B6

T: [redacted] | Cell: [redacted] Email:

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

NO DISCERNIBLE CLASSIFICATION

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

RELEASE IN FULL

April 5, 2019

Dear Under Secretary Hale:

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

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

First, Ambassador Yovanovitch is an esteemed career diplomat who has served both Republican and Democratic presidents. She was appointed ambassador to Ukraine by President Barack Obama. President George W. Bush appointed her as ambassador to both Kyrgyzstan and Armenia. She has a flawless record as a diplomat. We know her well. She is a professional of the highest integrity.

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

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

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

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

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

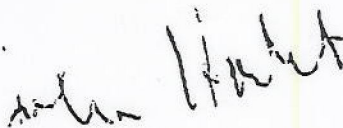
Further, allowing these attacks on a US ambassador in the field to stand without strong rebuttal from senior officials in the US government weakens the structure of our diplomatic engagement. We look forward to hearing that support.

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

Sincerely,



Roman Popadiuk
First U.S. Ambassador to Ukraine



John Herbst
Fifth U.S. Ambassador to Ukraine

Steven Pifer
Third U.S. Ambassador to Ukraine

William Taylor
Sixth U.S. Ambassador to Ukraine



Clark Pascual
Fourth U.S. Ambassador to Ukraine

J. Tefft
Seventh U.S. Ambassador to Ukraine

cc: Counselor T. Ulrich Brubuhl

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

RELEASE IN FULL

April 5, 2019

Dear Under Secretary Hale:

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

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

First, Ambassador Yovanovitch is an esteemed career diplomat who has served both Republican and Democratic presidents. She was appointed ambassador to Ukraine by President Barack Obama. President George W. Bush appointed her as ambassador to both Kyrgyzstan and Armenia. She has a flawless record as a diplomat. We know her well. She is a professional of the highest integrity.

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

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

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

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

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

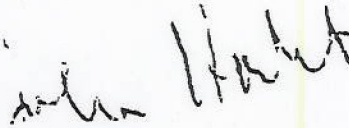
Further, allowing these attacks on a US ambassador in the field to stand without strong rebuttal from senior officials in the US government weakens the structure of our diplomatic engagement. We look forward to hearing that support.

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

Sincerely,



Roman Popadiuk
First U.S. Ambassador to Ukraine



John Herbst
Fifth U.S. Ambassador to Ukraine

Steven Pifer
Third U.S. Ambassador to Ukraine

William Taylor
Sixth U.S. Ambassador to Ukraine



Clark Pascual
Fourth U.S. Ambassador to Ukraine

J. Tefft
Seventh U.S. Ambassador to Ukraine

cc: Counselor T. Ulrich Brannbuhl

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

RELEASE IN FULL

April 5, 2019

Dear Under Secretary Hale:

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

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

First, Ambassador Yovanovitch is an esteemed career diplomat who has served both Republican and Democratic presidents. She was appointed ambassador to Ukraine by President Barack Obama. President George W. Bush appointed her as ambassador to both Kyrgyzstan and Armenia. She has a flawless record as a diplomat. We know her well. She is a professional of the highest integrity.

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

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

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

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

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

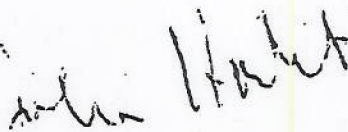
Further, allowing these attacks on a US ambassador in the field to stand without strong rebuttal from senior officials in the US government weakens the structure of our diplomatic engagement. We look forward to hearing that support.

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

Sincerely,



Roman Popadiuk
First U.S. Ambassador to Ukraine



John Herbst
Fifth U.S. Ambassador to Ukraine

Steven Pifer
Third U.S. Ambassador to Ukraine



Clark Pascual
Fourth U.S. Ambassador to Ukraine

William Taylor
Sixth U.S. Ambassador to Ukraine

J. Tefft
Seventh U.S. Ambassador to Ukraine

cc: Counselor T. Ulrich Brzezinski

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

RELEASE IN
FULL

April 5, 2019

Dear Under Secretary Hale:

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

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

First, Ambassador Yovanovitch is an esteemed career diplomat who has served both Republican and Democratic presidents. She was appointed ambassador to Ukraine by President Barack Obama. President George W. Bush appointed her as ambassador to both Kyrgyzstan and Armenia. She has a flawless record as a diplomat. We know her well. She is a professional of the highest integrity.

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

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

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

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

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

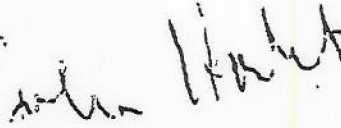
Further, allowing these attacks on a US ambassador in the field to stand without strong rebuttal from senior officials in the US government weakens the structure of our diplomatic engagement. We look forward to hearing that support.

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

Sincerely,



Roman Popadiuk
First U.S. Ambassador to Ukraine



John Herbst
Fifth U.S. Ambassador to Ukraine

Steven Pifer
Third U.S. Ambassador to Ukraine

William Taylor
Sixth U.S. Ambassador to Ukraine



Clark Pascual
Fourth U.S. Ambassador to Ukraine

J. Tefft
Seventh U.S. Ambassador to Ukraine

cc: Counselor T. Ulrich Brinkbuhl