

Opening Statement Before the House Permanent Select Committee on Intelligence

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Good morning. My name is George Kent, and I am Deputy Assistant Secretary of State for Eastern Europe and the Caucasus. I have served proudly as a non-partisan career Foreign Service officer for more than 27 years, under five Presidents, three Republicans and two Democrats. As I mentioned in my opening comments last month in the closed-door deposition, I represent the third generation of my family to have chosen a career in public service and sworn the oath all U.S. public servants do, in defense of our Constitution.

Indeed, there has been a George Kent sworn to defend the Constitution continuously for nearly 60 years, ever since my father reported to Annapolis for his plebe summer. After graduating first in his Naval Academy class in 1965, the year best known for his Heisman-winning classmate Roger Staubach, my father served a full 30 years, including as Captain of a nuclear ballistic missile submarine.

Five great uncles served honorably in the Navy and in the Army in World War II. In particular, Tom Taggart was stationed in the Philippines at the time of the attack on Pearl Harbor; he survived the brutal Bataan Death March and three more years in a Japanese Prisoner of War camp, unbroken. He returned to service as an Air Force Judge Advocate, upholding the rule of law until his death in 1965.

Today I appear before you once again, under subpoena, as a fact witness ready to answer all of your questions about the events and developments examined in this inquiry to the best of my ability and recollection subject to limits placed on me by the law and this process.

I begin with some opening comments on the key principles at the heart of what brings me before you today. To wit: principled public service in pursuit of our enduring national interests, and the place of Ukraine in our national and security interests.

For the past five years, we have focused our united efforts across the Atlantic to support Ukraine in its fight for the cause of freedom, and the rebirth of a country free from Russian dominion and the warped legacy of Soviet institutions and post-Soviet behavior.

As I stated in my closed-door deposition last month, you don't step into the public arena of international diplomacy in active pursuit of principled U.S. interests without expecting vigorous pushback, including personal attacks. Such attacks came from Russians, their proxies, and corrupt Ukrainians. This tells me that our efforts were hitting their mark.

It was unexpected, and most unfortunate, to watch some Americans -- including those who allied themselves with corrupt Ukrainians in pursuit of private agendas -- launch attacks on dedicated public servants advancing U.S. interests in Ukraine. In my opinion, those attacks undermined U.S. and Ukrainian national interests and damaged our critical bilateral relationship.

The United States has clear national interests at stake in Ukraine. Ukraine's success is very much in our national interest, in the way we have defined our national interests broadly in Europe for the past 75 years. U.S. leadership furthered far-sighted policies like the Marshall Plan and the creation of a rules-based international order. Protected by the collective security provided by NATO, Western Europe recovered and thrived after the carnage of World War II, notwithstanding the shadow of the Iron Curtain. Europe's security and prosperity contributed to our security and prosperity.

Support of Ukraine's success also fits squarely into our strategy for central and Eastern Europe since the fall of the Wall 30 years ago this past week. A Europe truly whole, free, and at peace -- our strategic aim for the entirety of my foreign service career -- is not possible without a Ukraine whole, free, and at peace, including Crimea and Donbas, territories currently occupied by Russia.

Looking forward, the Trump administration's National Security Strategy makes clear the global strategic challenge now before us: great power competition with rivals such as Russia and China, and the need to compete for positive influence, without taking countries for granted.

In that sense, Ukraine has been on the front lines, not just of Russia's conventional war in eastern Ukraine since 2014 and its broader campaign of malign influence, but of the greater geopolitical challenges now facing the United States.

Ukraine's popular Revolution of Dignity in 2014 forced a corrupt pro-Russian leadership to flee to Moscow. After that, Russia invaded Ukraine, occupying seven percent of its territory, roughly equivalent to the size of Texas for the United States. At that time, Ukraine's state institutions were on the verge of collapse.

Ukrainian civil society answered the challenge. They formed volunteer battalions of citizens, including technology professionals and medics. They crowd-sourced funding for their own weapons, body armor, and supplies. They were the 21st century Ukrainian equivalent of our own Minutemen in 1776, buying time for the regular army to reconstitute.

Since then, more than 13,000 Ukrainians have died on Ukrainian soil defending their territorial integrity and sovereignty from Russian aggression. American support in Ukraine's own de facto war of independence has been critical in this regard.

By analogy, the American colonies may not have prevailed against British imperial might without help from transatlantic friends after 1776. In an echo of Lafayette's organized assistance to General George Washington's army and Admiral John Paul Jones' navy, Congress has generously appropriated over \$1.5 billion over the past five years in desperately needed train and equip security assistance to Ukraine. These funds increase Ukraine's strength and ability to fight

Russian aggression. Ultimately, Ukraine is on a path to become a full security partner of the United States within NATO.

Similar to von Steuben training colonials at Valley Forge, U.S. and NATO allied trainers develop the skills of Ukrainian units at Yavoriv near the Polish border, and elsewhere. They help rewrite military education for Ukraine's next generation, as von Steuben did for America's first. In supporting Ukraine's brave resistance to Russian aggression, we have a front row seat to the Russian way of war in the 21st century, gaining priceless insights that contribute to our own security.

In 2019, Ukraine's citizens passed the political torch to a new generation, one that came of age not in the final years of the Soviet Union, but in an independent Ukraine. Presidential and parliamentary elections this year swept out much of Ukraine's previous governing elite and seated a 41-year-old President Zelenskyy, a cabinet with an average age of 39, and a parliament with an average age of 41.

At the heart of that change mandate five years after Ukraine's Revolution of Dignity is a thirst for justice, because there cannot be dignity without justice. Without a reformed judicial sector that delivers justice with integrity for all, Ukrainian society will be unsettled. Foreign investors will not bring the investment needed to ensure Ukraine's long-term prosperity.

This is why the principled promotion of the rule of law and institutional integrity has been so necessary to our strategy for a successful Ukraine. It is also true for other former captive nations still recovering from the ashes of Soviet misrule. It is why acting inconsistently with the core principle of rule-of-law comes with great peril.

I am grateful to all of the members of Congress and staffers who have traveled to Ukraine over the past five years and appropriated billions of dollars in assistance in support of our primary policy goals. Those funds increase Ukraine's ability to fight Russian aggression in the defense, energy, cyber, and information spheres. They also empower state institutions and civil society to undertake systemic reforms and tackle corruption.

I believe all of us can be proud of our efforts in Ukraine over the past five years, even though much remains to be done. And by all of us I mean those in the legislative and executive branches, both parties, the interagency community working out of our embassy in Kyiv, with Ukrainians in government, the military, and civil society, and our transatlantic allies and partners. We cannot allow our resolve to waiver, since too much is at stake, not just for Ukraine and the future of European security, but for the national interests of the United States broadly defined.

My prior deposition covered a lot of ground over some ten hours. Here are the main themes from my testimony:

- I outlined my experience with longstanding U.S. interests in supporting anti-corruption efforts in Ukraine. This work gave me a front-seat to problematic activities by successive prosecutors general in Ukraine.

- For many of the issues that this Committee is investigating, my knowledge and understanding is sometimes first hand, and sometimes comes from others involved in some specific conversations and meetings. This is no different than how any one learns and carries out his or her job responsibilities. I have been and remain willing to share my factual observations with the Committee, and will make it clear when those are based on personal knowledge, or information gained from others.
- U.S. efforts to counter corruption in Ukraine focus on building institutional capacity so that the Ukrainian government has the ability to go after corruption and effectively investigate, prosecute, and judge alleged criminal activities using appropriate institutional mechanisms -- that is -- to create and follow the rule of law. That means if there is any criminal nexus for activity in the United States, then U.S. law enforcement should pursue that case. If we think there has been some criminal act overseas that violates U.S. law, we have the institutional mechanisms to address that. It could be through the Justice Department and FBI agents assigned overseas, or through treaty mechanisms, such as the Mutual Legal Assistance Treaty. As a general principle, I do not believe the United States should ask other countries to engage in selective, politically associated investigations or prosecutions against opponents of those in power, because such selective actions undermine the rule of law regardless of the country.
- The pervasive and long standing problem of corruption in Ukraine included exposure to a situation involving the energy company Burisma. The primary concern of the U.S. government since 2014 was Burisma's owner -- Mykola Zlochevsky -- whose frozen assets abroad we had attempted to recover on Ukraine's behalf. In early 2015, I raised questions with the deputy Prosecutor General about why the investigation of Mr. Zlochevsky had been terminated, based on our belief that prosecutors had accepted bribes to close the case.
- Later, I became aware that Hunter Biden was on the board of Burisma. Soon after that, in a briefing call with the national security staff in the Office of the Vice President, in February 2015, I raised my concern that Hunter Biden's status as board member could create the perception of a conflict of interest. Let me be clear; however, I did not witness any efforts by any U.S. official to shield Burisma from scrutiny. In fact, I and other U.S. officials consistently advocated reinstating a scuttled investigation of Zlochevsky, Burisma's founder, as well as holding the corrupt prosecutors who closed the case to account.
- Over the course of 2018-2019, I became increasingly aware of an effort by Rudy Giuliani and others, including his associates Lev Parnas and Igor Fruman, to run a campaign to smear Ambassador Yovanovitch and other officials at the U.S. embassy in Kyiv.
- The chief agitators on the Ukrainian side of this effort were some of those same corrupt former prosecutors I had encountered, particularly Victor Shokin and Yuriy Lutsenko. They were now peddling false information in order to exact revenge against those who

had exposed their misconduct, including U.S. diplomats, Ukrainian anti-corruption officials, and reform-minded civil society groups in Ukraine.

- During the late spring and summer of 2019, I became alarmed as these efforts bore fruit. They led to the ouster of Ambassador Yovanovitch and hampered U.S. efforts to establish rapport with the new Zelenskyy administration in Ukraine.
- In mid-August, it became clear to me that Giuliani's efforts to gin up politically-motivated investigations were now infecting U.S. engagement with Ukraine, leveraging President Zelenskyy's desire for a White House meeting.
- There are and always have been conditionality placed on our sovereign loan guarantees for Ukraine. Conditions include anti-corruption reforms, as well as meeting larger stability goals and social safety nets. The International Monetary Fund does the same thing. Congress and the executive branch work together to put conditionality on some security assistance in the Ukraine Security Assistance Initiative.

Regarding my testimony, I will do my best to answer your questions today, questions that will involve issues, conversations, and documents that span a number of years. I may be limited by three considerations:

- First, the State Department has collected materials in response to the September 27 subpoena that may contain facts relevant to my testimony. I have no such documents or materials with me today. I will thus do my best to answer as accurately, completely, and truthfully as I can, to the best of my recollection.
- Second, as this Committee knows from my deposition testimony, throughout this process there have been concerns that questions may be asked about classified information. We have asked the State Department for guidance about any classification concerns related to the public release of my deposition, and the State Department has declined to provide any. So if I am asked a question today that I believe may implicate classified information, I will respectfully decline to answer in this public forum.
- Third, there may also be questions focusing on the identity of people in the Intelligence Community. These questions were redacted from my deposition's transcript. If such a question arises today, I am going to follow my counsel's advice and decline to answer.

I would like to conclude my opening remarks with an observation about some of my fellow public servants who have come under personal attack -- Ambassador Yovanovitch, LTC Vindman, and Dr. Hill -- at least one of whom is going to appear before this body in the coming days. Masha, Alex, and Fiona were born abroad before their families or they themselves personally chose to immigrate to the United States. They all made the professional choice to serve the United States as public officials, helping shape our national security policy, towards Russia in particular. And we and our national security are the better for it.

In this sense, they are the 21st century heirs of two giants of 20th century U.S. national security policy who were born abroad: my former professor Zbigniew Brzezinski; and his fellow immigrant Henry Kissinger. Like the Brzezinskis and Kissingers, the Yovanovitches and Vindmans fled Nazi and communist oppression to contribute to a stronger, more secure America.

That honorable transatlantic tradition goes back to the very founding of our republic: our 18th century independence would not have been secured without the choice of European officers -- the French-born Lafayette and Rochambeau, the German-born von Steuben, and the Poles Pulaski and Kosciuszko -- to come to the New World and fight for our cause of freedom, and the birth of a new country free from imperial dominion. It is my privilege to sit next to Ambassador Taylor today, and it is my honor to serve with all of these patriotic Americans.

Thank you.