

From: [REDACTED]
To: [REDACTED]
Subject: Burisma files
Date: Thursday, October 26, 2017 5:26:50 AM

[REDACTED],

I found the below linked files on the low side shared drive:

1. [April 4, 2017 letter from Cofer Black](#) to Ambassdaor expressing concern that Ihor Kononenko had been unable to reach the Ambassador.
2. [April 11, 2017 letter from Ambassador](#) replying to Cofer Black that we are unaware of any requests from Kononenko (Note: Attachment is Word document, I can't be certain this was signed and sent. End note.)
3. [August 2014 readout of Econoff \[REDACTED\] meeting](#) with Burisma board advisor Vadym Pozharskiy. Provides nice one page overview of the company as of 2014. Also notes credible allegations of corruption in company's past.
4. [October 2014 Burisma-produced Powerpoint presentation](#) overview of the company. Glossy and positive portrayal.

I searched emails and shared documents but do not have anything on the other system.

Thanks,

[REDACTED]

[REDACTED]

This email is UNCLASSIFIED.

4 April 2017

Dear Madame Ambassador,

Greetings from Washington, DC. It was a pleasure to meet briefly with you at the recent U.S.-Ukraine Business Council luncheon. I was sorry that we did not have a chance to meet in Kyiv when I was in-country, but hopefully we can remedy that during my next visit.

I was also disappointed that Deputy Chief of Mission George Kent was unable to make our meeting, previously scheduled to follow very useful talks with your very impressive energy team.

I therefore will pass along the following in writing for your consideration. As an acknowledged novice in local Ukrainian realities who nevertheless is very interested and engaged in such, I was surprised when Ihor Kononenko told me that he had received no response to his repeated efforts to contact you through the Embassy. I told Konenko simply that I would pass on to you his comment to me.

My parenthetical and no doubt impolitic comment to you is that, through six PCS tours in some pretty rough neighborhoods as well as a stint at Main State at the Assistant Secretary level, I have never witnessed a situation in which a senior local government official was unable to obtain an audience with a US Ambassador.

I also feel compelled to raise concern over how my recent appointment to the Burisma board has been handled by the NGO community, specifically Ms. Daria Kaleniuk, the Executive Director of the Anti-Corruption Action Centre and by extension, the U.S. Embassy.

Ms. Kaleniuk, obviously without any effort at due diligence, responded to the announcement of my association with Burisma with an accusation on her blog that I "introduced and supported torture," amid other false allegations. As I am sure you are aware, I have never supported torture of any kind and, indeed, testified before the U.S. Congress under oath strongly condemning any and all alleged activities of this nature.

Furthermore, the December 9, 2014 "Senate Intelligence Committee Study on CIA Detention and Interrogation Program" reported that I and my team authored several memos immediately after 9/11 strongly recommending to CIA and USG leadership that all Al-Qaida members should be treated as Prisoners of War under the Geneva Convention. We also recommended that such combatants should be held by trained Department of Defense military police or other professional prison wardens. There were no enhanced interrogations conducted during my time as the Director, Counterterrorism Center.

I am sure you agree with me that NGOs (especially those supported by U.S. taxpayers) have a responsibility to check their facts and to be held accountable for inaccuracies. Failure to do so will undermine their credibility in Ukraine and possibly damage their potential for doing good. Given that the U.S. Embassy lends financial and other support to the Anti-Corruption Action Centre, I believe our Embassy should hold this institution to standards consistent with our other good faith partners.

I would like to thank you and Mr. Kent for allowing me to meet with [REDACTED] All [REDACTED] were so very impressive. Makes me proud to be an American, knowing we have such high caliber officers representing us.

I look forward to meeting with you during my next visit to Ukraine.

Sincerely,


J Cofer Black

Kyiv, Ukraine
April 12, 2017

Mr. J Cofer Black
Burisma
c/o [REDACTED]@gmail.com

Dear Mr. Black:

Thank you for your April 4 letter. I'm sorry that we missed each other on your last visit. Thank you for your warm words about the team, and I am pleased they were helpful during your visit to Ukraine.

In my first seven months here in Kyiv, I have had the pleasure of meeting with Ukrainians from all parts of society. I am not aware of any requests from Mr. Kononenko specifically. As you note, we have been very supportive of civil society since the Revolution of Dignity – they have shown themselves to be the real champions of democracy and reform in Ukraine. I fully agree, however, that they must be responsible with their actions and statements.

I look forward to meeting with you and discussing Ukraine's energy sector on your next trip to Kyiv.

Sincerely,

Marie L. Yovanovitch

CLEARANCES

Approved: AMB: MYovanovitch ()

Drafted: ECON: [REDACTED]

Cleared: ECON: [REDACTED] ok
ECON: [REDACTED] ok
POL: [REDACTED] ok
EXEC: [REDACTED] ok
EXEC: [REDACTED] (ok)
DCM: GKent ()

[REDACTED]

Burisma Holdings – 08/04/2014

Participants

- Vadym Pozharskiy, advisor to the board of Burisma Holding
- [REDACTED], Energy Officer

Burisma Holdings is a Cyprus-registered company with five subsidiary gas production companies licensed in Ukraine. Pozharskiy claims that the company is 100% held by Mykola Zlochevskiy, a former Minister of Ecology. Burisma operates primarily in the Kharkiv and Poltava regions, and extracts about 500 million cubic meters of gas annually, making it the second largest private producer in Ukraine. It has 40 wells in operation, and another 24 in the drilling stage, giving it the potential to reach 1 bcm in production in 2015. Burisma is working with the service company Zont, which employs 30-35 U.S. employees and uses modern drilling equipment.

The company has taken a leadership role both in forming an association of independent gas companies in Ukraine and in opposing new gas legislation that would sharply increase royalty fees. Recently, the company has also begun to aggressively expand its profile abroad, hiring lobbyists in Washington, and inviting notables such as Hunter Biden, former Polish president Aleksander Kwaśniewski, and financier [REDACTED] on to its governing board.

([REDACTED]) This also seems to be an attempt to rehabilitate the image of the company and cleanse it from past, highly credible allegations of corruption. NGOs and energy experts have claimed that Zlochevskiy awarded gas licenses and other perks to himself while serving as the Minister of Ecology. At least for now, the company seems earnest about improving transparency and corporate governance at Burisma. They have hired KPMG to perform a comprehensive audit and Nardello to perform reputational due diligence. They are also investing in new fields, modern equipment, and decent leadership.

[REDACTED]