

United States Senate
WASHINGTON, DC 20510

November 6, 2019

The Honorable Michael R. Pompeo
Secretary of State
2201 C Street, NW
Washington, DC 20520

Dear Secretary Pompeo:

In April 2014, Vice President Biden reportedly became the “public face of the administration’s handling of Ukraine.”¹ Around the same time, the Vice President’s son, Hunter Biden, and his business associate, Devon Archer, both began serving on the board of Burisma Holdings, a Ukrainian energy company.² According to the *New York Times*, Hunter Biden, “would be paid as much as \$50,000 per month in some months for his work for the company.”³

E-mails obtained and publicly released through the Freedom of Information Act (FOIA) show that, at the time Hunter Biden and Devon Archer joined Burisma, their other business partner, Christopher Heinz, the stepson to then-Secretary of State John Kerry, e-mailed senior State Department officials about the announcement with concern.⁴ Specifically, on May 13, 2014, Heinz wrote to Special Assistant Matt Summers and Chief of Staff David Wade:

Apparently Devon and Hunter both joined the board of Burisma and a press release went out today. I cant [sic] speak why they decided to, but there was no investment by our firm in their company.⁵

Heinz has also been quoted through his spokesman as saying he “strongly warned Mr. Archer that working with Burisma was unacceptable” and “[t]he lack of judgment in this matter was a major catalyst for Mr. Heinz ending his business relationships with Mr. Archer and Mr. Biden.”⁶

¹ Susan Crabtree, *Joe Biden emerges as Obama’s trusty sidekick*, Wash. Examiner, Apr. 25, 2014, <https://www.washingtonexaminer.com/joe-biden-emerges-as-obamas-trusty-sidekick>.

² Kenneth P. Vogel and Iuliia Mendel, *Biden Faces Conflict of Interest Questions That Are Being Promoted by Trump Allies*, N.Y. Times, May 1, 2019, <https://www.nytimes.com/2019/05/01/us/politics/biden-son-ukraine.html>.

³ *Id.*

⁴ According to reports, Christopher Heinz and Devon Archer founded Rosemont Capital, a private equity firm. Hunter Biden, Christopher Heinz, and Devon Archer founded Rosemont Seneca Partners. Adam Entous, *Will Hunter Biden Jeopardize His Father’s Campaign?* New Yorker, July 1, 2019, <https://www.newyorker.com/magazine/2019/07/08/will-hunter-biden-jeopardize-his-fathers-campaign>.

⁵ Email from Chris Heinz to Matt Summers & David Wade, U.S. State Dep’t (May 13, 2014), <https://www.scribd.com/document/433436789/CU-v-State-FOIA-Doc-Ukraine>; see also Alana Goodman, *John Kerry’s son cut business ties with Hunter Biden over Ukrainian oil deal*, Wash. Examiner, Aug. 27, 2019, <https://www.washingtonexaminer.com/politics/john-kerrys-son-cut-business-ties-with-hunter-biden-over-ukrainian-oil-deal>.

⁶ Paul Sonne, Michael Kranish, Matt Viser, *The gas tycoon and the vice president’s son: The story of Hunter Biden’s foray into Ukraine*, The Washington Post (Sept. 29, 2019), <https://www.msn.com/en-us/news/world/the-gas-tycoon-and-the-vice-president-s-son-the-story-of-hunter-biden-s-foray-into-ukraine/ar-AAHZFB6>.

According to the *Times*, “Hunter Biden’s work for Burisma prompted concerns among State Department officials at the time that the connection could complicate Vice President Biden’s diplomacy in Ukraine[.]”⁷ Based on this report, it is unclear the extent to which State Department officials expressed these concerns formally and what, if any, action the Department took to address them.

In 2016, while Hunter Biden and Devon Archer were both working for Burisma Holdings, Ukraine’s top prosecutor was conducting an investigation into the company and its owner.⁸ The *Times* reported that, in 2016, Vice President Biden “threatened to withhold \$1 billion in United States loan guarantees if Ukraine’s leaders did not dismiss the country’s [Prosecutor General Viktor Shokin].”⁹ Ukraine’s parliament voted to dismiss Shokin after Vice President Biden called for his removal.¹⁰

Indeed, Vice President Biden later bragged about how he was responsible for Shokin’s firing:

...we’re not going to give you the billion dollars. They said, you have no authority. You’re not the president. The president said—I said, call him. I said, I’m telling you, you’re not getting the billion dollars. I said, you’re not getting the billion. I’m going to be leaving here in, I think it was about six hours. I looked at them and said: I’m leaving in six hours. If the prosecutor is not fired, you’re not getting the money. Well, son of a b-tch. He got fired. And they put in place someone who was solid at the time.¹¹

E-mails recently obtained and made public through a FOIA request indicate that Burisma’s consulting firm used Hunter Biden’s role on Burisma’s board to gain access and potentially influence matters at the State Department. In a February 24, 2016, email with the subject line “Burisma,” a State Department official wrote:

⁷ Kenneth P. Vogel and Iuliia Mendel, *Biden Faces Conflict of Interest Questions That Are Being Promoted by Trump Allies*, N.Y. Times, May 1, 2019, <https://www.nytimes.com/2019/05/01/us/politics/biden-son-ukraine.html>.

⁸ *Id.*; Oleg Sukhov, *Powerful suspects escape justice on Lutsenko’s watch*, Kyiv Post, Apr. 13, 2018, <https://www.kyivpost.com/ukraine-politics/powerful-suspects-escape-justice-lutsenkos-watch.html?cn-reloaded=1>.

⁹ Another report indicates that Vice President Biden made this threat in late 2015. *See e.g.*, Kenneth P. Vogel and Iuliia Mendel, *Biden Faces Conflict of Interest Questions That Are Being Promoted by Trump Allies*, N.Y. Times, May 1, 2019, <https://www.nytimes.com/2019/05/01/us/politics/biden-son-ukraine.html>; Glen Kessler, *Correcting a media error: Biden’s Ukraine showdown was in December 2015*, Wash. Post, Oct. 2, 2019, <https://www.washingtonpost.com/politics/2019/10/02/correcting-media-error-bidens-ukraine-showdown-was-december/>.

¹⁰ *Prosecutor General Shokin dismissed officially*, Unian, Apr. 3, 2016, <https://www.unian.info/politics/1308082-prosecutor-general-shokin-dismissed-officially.html>.

¹¹ Erielle Davidson, *Watch Joe Biden Brag About Bribing Ukraine to Fire The Prosecutor Investigating His Son’s Company*, The Federalist, Sept. 24, 2019, <https://thefederalist.com/2019/09/24/watch-joe-biden-brag-about-bribing-ukraine-to-fire-the-prosecutor-investigating-his-sons-company/>.

Per our conversation, Karen Tramontano of Blue Star Strategies requested a meeting to discuss with [Under Secretary] Novelli [U.S. Government] remarks alleging Burisma (Ukrainian energy company) of corruption. **She noted that two high profile U.S. citizens are affiliated with the company (including Hunter Biden as a board member). Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that the company is corrupt.** According to Tramontano, there is no evidence of corruption, has been no hearing or process, and evidence to the contrary has not been considered. Would appreciate any background you may be able to provide on this issue and suggested TPs for U/S Novelli's meeting.¹²

Although it is not clear if Under Secretary Novelli met with Karen Tramontano on March 1, 2016, as planned, later that month Tramontano and other members of Burisma's legal team reportedly met with Ukrainian prosecutors.¹³ According to what appears to be contemporaneous notes by one of those Ukrainian prosecutors, during that meeting, Burisma's legal team apologized about what they alleged to be "false information" promoted by the U.S. Government about the prosecutors' handling of the investigation of Burisma.¹⁴

Additionally, other documents obtained and made public through FOIA show other meetings that Burisma board members Hunter Biden and Devon Archer scheduled with high-ranking State Department officials. In May 2015, Hunter Biden asked to meet then-Deputy Secretary of State Antony Blinken to "get [his] advice on a couple of things" and again for lunch on July 22, 2015.¹⁵ On March 2, 2016, just one day after Tramontano was scheduled to meet with Under Secretary Novelli about Burisma, Devon Archer was scheduled to meet with Secretary of State John Kerry.¹⁶

To better understand what actions, if any, the Obama administration took to ensure that policy decisions relating to Ukraine and Burisma were not improperly influenced by the employment and financial interests of family members, please provide the following information no later than November 20, 2019:

¹² John Solomon, *Hunter Biden's Ukraine gas firm pressed Obama administration to end corruption allegations, memos show*, johnsolomonreports.com, Nov. 4, 2019, <https://johnsolomonreports.com/hunter-bidens-ukraine-gas-firm-pressed-obama-administration-to-end-corruption-allegations-memos-show/> (emphasis added).

¹³ John Solomon, *These once-secret memos cast doubt on Joe Biden's Ukraine story*, The Hill, Sept. 26, 2019, <https://thehill.com/opinion/campaign/463307-solomon-these-once-secret-memos-cast-doubt-on-joe-bidens-ukraine-story>.

¹⁴ *Id.*

¹⁵ Emails between Hunter Biden and U.S. State Dep't Officials (May 2015), <https://www.scribd.com/document/433389212/Biden-Blinken-Meeting>.

¹⁶ Email between U.S. State Dep't Officials (Mar. 2, 2016), <https://www.scribd.com/document/433389208/Archer-Meeting-Kerry>.

1. All State Department records¹⁷ relating to Hunter Biden, Devon Archer, Christopher Heinz, and Karen Tramontano.
2. All State Department records relating to Burisma Holdings, Rosemont Seneca Partners, Rosemont Seneca Bohai LLC, Rosemont Capital, and Blue Star Strategies.
3. Based on the February 24, 2016 e-mail cited above, it appears that Tramontano wanted to meet with then-Under Secretary Novelli. Did this meeting occur? If so, when and who attended? Please produce all records relating to the meeting.
4. With respect to the March 2, 2016, meeting between Devon Archer and Secretary Kerry, did that meeting take place? If so, when did it occur, what was it about, and who attended? Please produce all records relating to the meeting.
5. With respect to the May 27, 2015, and July 22, 2015, meetings between Hunter Biden and Antony Blinken, did these meetings take place? If so, when did it occur, what was it about, and who attended? Please produce all records relating to the meeting.
6. In the February 24, 2016 e-mail cited above, a State Department employee wrote that, “Tramontano would like to talk with U/S Novelli about getting a better understanding of how the U.S. came to the determination that [Burisma] is corrupt.” Based on this e-mail, it appears that the U.S. had “determin[ed]” Burisma to be corrupt. Is this accurate? Please explain.
7. Has the State Department requested that the Office of the Legal Adviser or the Office of Inspector General review potential concerns and conflicts of interest related to Hunter Biden’s work for Burisma while Vice President Biden reportedly acted as the United States’ top official in Ukraine? If not, why not?

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate “the efficiency, economy, and effectiveness of all agencies and departments of the Government.”¹⁸ Additionally, Senate Resolution 70 (116th Congress) authorizes the Committee to examine “the efficiency and economy of operations of all branches and functions of the Government with particular references to (i) the effectiveness of present national security methods, staffing, and processes[.]”¹⁹

¹⁷ “Records” include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

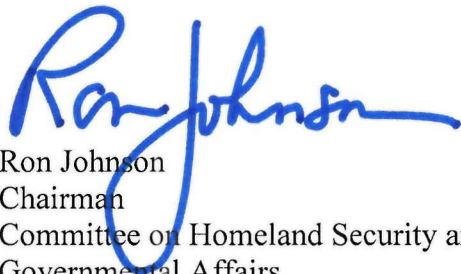
¹⁸ S. Rule XXV; *see also* S. Res. 445, 108th Cong. (2004).

¹⁹ S. Res. 70, 116th Cong. § 12(e)(1)(E) (2019).

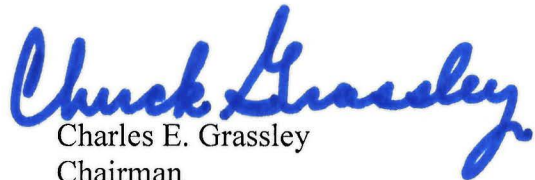
We anticipate that your written response and most of the responsive documents will be unclassified. Please send all unclassified material directly to the Committees. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committees, and provide a classified addendum to the Office of Senate Security. The Committees comply with all laws and regulations governing the handling of classified information. The Committees are not bound, absent their prior agreement, by any handling restrictions or instructions on unclassified information unilaterally asserted by the Executive Branch.

If you have any questions about this request, please ask your staff to contact Brian Downey and Scott Wittmann of Chairman Johnson's staff at (202) 224-4751 or Joshua Flynn-Brown of Chairman Grassley's staff at (202) 224-4515. Thank you for your attention to this matter.

Sincerely,



Ron Johnson
Chairman
Committee on Homeland Security and
Governmental Affairs



Charles E. Grassley
Chairman
Committee on Finance