

Congress of the United States
Washington, DC 20515

May 28, 2020

The Honorable Michael R. Pompeo
Secretary of State
Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Mr. Secretary:

Last week, we wrote to President Trump to express our grave concerns with his decision to spend millions of U.S. taxpayer dollars to send hundreds of ventilators *for free* to Russian President Vladimir Putin despite urgent needs here in the United States.¹

Today, we are writing to request information about President Trump's decision to *purchase* ventilators from President Putin that are not only unsafe for use in the United States, but were manufactured by a subsidiary of a Russian company currently under U.S. sanctions as a result of Russia's 2014 aggression against Ukraine. These misguided decisions waste millions of U.S. taxpayer dollars, undermine our foreign policy and national security interests, and impair our nation's ability to combat the coronavirus crisis.

According to a statement issued by the Department of State on April 1, 2020, "As a follow-up to the March 30 phone call between President Trump and President Putin, the United States has agreed to purchase needed medical supplies, including ventilators and personal protection equipment, from Russia."² According to records from the Federal Emergency Management Agency (FEMA), the "State Department received a final invoice from the Government of Russia for \$659,283."³

¹ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, Chairman Eliot L. Engel, Committee on Foreign Affairs, Chairwoman Nita M. Lowey, Committee on Appropriations, Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, and Chairman Stephen F. Lynch, Subcommittee on National Security, to President Donald J. Trump, The White House (May 22, 2020) (online at <https://oversight.house.gov/news/press-releases/trump-administration-notifies-congress-of-plan-to-use-5-million-in-us-taxpayer>).

² Department of State, *U.S. Purchase of Needed Supplies from Russia* (Apr. 1, 2020) (online at www.state.gov/u-s-purchase-of-needed-supplies-from-russia/). See also *U.S. Paying Russia for Entire Planeload of Coronavirus Equipment: U.S. Official*, Reuters (Apr. 2, 2020) (online at www.reuters.com/article/us-health-coronavirus-russia-usa/u-s-paying-russia-for-entire-planeload-of-coronavirus-equipment-u-s-official-idUSKBN21K34Z) ("The United States is paying Russia for a planeload of medical equipment sent by Moscow to help fight the coronavirus outbreak, a senior Trump administration official said on Thursday.").

³ *Russia Bills US \$660K for Aid that Included Gas Masks, Household Cleaning Gloves*, ABC News (May 1, 2020) (online at <https://abcnews.go.com/Politics/russia-bills-us-660k-aid-included-gas-masks/story?id=70451912>).

These ventilators reportedly were “not immediately useable because of voltage-related issues.”⁴ Earlier this month, the same ventilator model, the Aventa-M, reportedly caused fires in Moscow and St. Petersburg that led to the deaths of six coronavirus patients.⁵ FEMA has confirmed that no Aventa-M ventilators purchased from Russia have been used in the United States.⁶

Press reports indicate that many of these ventilators were supplied by Ural Instrument Engineering Plant, which is part of a Urals-based company known as Radio-Electronic Technologies, a Russian holding company under U.S. sanctions that “is owned by Rostec, a massive state conglomerate that encompasses some of Russia’s best-known technology manufacturers.” According to these reports, “Radio-Electronic Technologies has been under U.S. Treasury sanctions since July 2014, as part of the Ukraine and Crimea-related measures.”⁷

The Office of Foreign Assets Control (OFAC) sanctioned Radio Electronic Technologies as a Specially Designated National (SDN), which is prohibited from conducting business with U.S. persons because OFAC has determined that doing so would undermine U.S. national security and foreign policy interests.⁸

To date, “U.S. officials have not publicly described any deliberations or debate within the administration regarding the shipment.” However, Kremlin spokesman Dmitry Peskov “appeared to suggest that there had been U.S. officials or agencies that raised objections to the shipment.” He reportedly stated: “It seemed that there were some on the American side who at least did not contribute to the prompt resolution of the technical issues in pursuance of the two presidents’ agreement.”⁹

For these reasons, we request that you produce the following documents and information by June 10, 2020:

1. A determination of percent ownership of Ural Instrument Engineering Plant by Radio-Electronic Technologies;

⁴ *Id.*

⁵ *Ventilator Model Russia Sent to U.S. Blamed for Deadly Fires*, Bloomberg News (May 12, 2020) (online at www.bloomberg.com/news/articles/2020-05-12/ventilator-model-russia-sent-to-u-s-blamed-for-deadly-fires).

⁶ *Russian Ventilators Implicated in Deadly Fires Not Used in U.S.: FEMA*, Reuters (May 12, 2020) (online at www.reuters.com/article/us-health-coronavirus-russia-usa/russian-ventilators-implicated-in-deadly-fires-not-used-in-u-s-fema-idUSKBN22P00Y).

⁷ *A Mystery Wrapped in an Enigma Inside a Russian Coronavirus Aid Shipment to the U.S.*, Radio Free Europe/Radio Liberty (Apr. 3, 2020) (online at www.rferl.org/a/russian-coronavirus-aid-shipment-u-s-mystery-sanctions-propaganda/30529019.html).

⁸ *U.S. Department of Treasury Specially Designated Nationals and Blocked Persons List* (May 13, 2020) (online at www.treasury.gov/ofac/downloads/sdnlist.pdf).

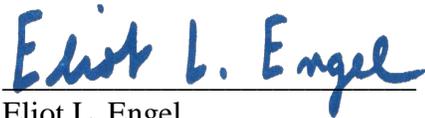
⁹ *A Mystery Wrapped in an Enigma Inside a Russian Coronavirus Aid Shipment to the U.S.*, Radio Free Europe/Radio Liberty (Apr. 3, 2020) (online at www.rferl.org/a/russian-coronavirus-aid-shipment-u-s-mystery-sanctions-propaganda/30529019.html).

2. A summary of the March 30, 2020, phone call between President Trump and President Putin during which President Trump decided to purchase medical equipment from the Russian Federation;
3. A complete and unredacted flight manifest of medical supplies and equipment shipped from Russia to the United States;
4. All invoices and payment records related to these shipments;
5. All documents and communications between the Department of State and officials at the White House related to these shipments;
6. All documents and communications between or among officials from the Department of State, the Department of the Treasury, the Office of Foreign Asset Controls, or the Food and Drug Administration related to these shipments; and
7. All documents and communications sent or received by State Department officials in the Bureau of European and Eurasian Affairs, Economic and Business Affairs, or the Global Engagement Center related to these shipments.

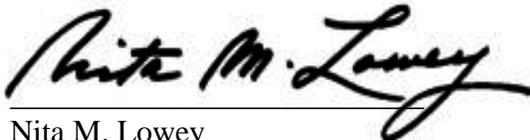
Sincerely,



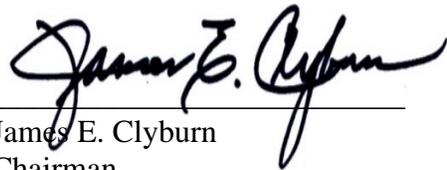
Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



Eliot L. Engel
Chairman
Committee on Foreign Affairs



Nita M. Lowey
Chairwoman
Committee on Appropriations



James E. Clyburn
Chairman
Select Subcommittee on the
Coronavirus Crisis



Stephen F. Lynch
Chairman
Subcommittee on National Security
Committee on Oversight and Reform

Enclosure

The Honorable Michael R. Pompeo

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cc: The Honorable Steven Mnuchin, Secretary
Department of the Treasury

The Honorable Jim Jordan, Ranking Member
Committee on Oversight and Reform

The Honorable Michael McCaul, Ranking Member
Committee on Foreign Affairs

The Honorable Kay Granger, Ranking Member
Committee on Appropriations

The Honorable Steve Scalise, Ranking Member
Select Subcommittee on the Coronavirus Crisis

The Honorable Glenn Grothman, Ranking Member
Subcommittee on National Security
Committee on Oversight and Reform

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.